

EXHIBIT 1

**For Federal criminal/civil case filing
-- PETITIONER'S ADDITIONAL EVIDENCE
BRIEF IN OPPOSITION TO "MOTION TO
DISMISS MOTION TO VACATE, SET ASIDE,
OR CORRECT SENTENCE" (Document #141)
AND IN SUPPORT TO PETITIONER'S 2255
MOTION (Document #125) --**

**Brian David Hill (Petitioner) v. United States of
America (Respondent)**

**Criminal Case Number 1:13-cr-435-1
Civil Case Number 1:17-CV-1036**

U.S.W.G.O.

USWGO Alternative News (USWGO.COM, DEFUNCT)
WE ARE CHANGE (WEARECHANGE.ORG)
INFOWARS.COM (THERE IS A WAR ON FOR YOUR MIND)
Oath Keepers (oathkeepers.org)

**In the United States District Court
For the Middle District of North Carolina**

Brian David Hill
Petitioner,

v.

United States of America
Respondent.

Civil Action No. 1:17-CV-1036
Criminal Case No. 1:13-CR-435-1

Declaration of witnesses Stella Forinash, Kenneth Forinash, and Roberta Hill in support of “MOTION to Vacate, Set Aside or Correct Sentence (pursuant to 28 U.S.C. 2255) by BRIAN DAVID HILL” (Document #125); in opposition to “MOTION to Dismiss Motion to Vacate, Set Aside, or Correct Sentence by USA as to BRIAN DAVID HILL” (Document #141); and in support of RESPONSE in Opposition to 141 MOTION to Dismiss Motion to Vacate, Set Aside, or Correct Sentence filed by BRIAN DAVID HILL (Document #143)

Pursuant to 28 U.S. Code § 1746 and subject to the penalties of perjury, we therefore submit this statement to the U.S. District Court as follows.

To Whom This May Concern:

EXTRA ADDITION TO BRIAN DAVID HILL'S 2255

PROOF of what was going on Brian's 1st Year (Nov. 2014 – Nov. 2015)

Brian and his family were not aware that you only have one year to do a 2255, and so we feel that it is important to explain to the court what all was going on the first year that Brian was released from jail. First, we all (Brian, his mom and grandparents) went to our local police department so our family member who was innocent and a virgin and had never done anything to hurt any child could have his photo and our home address put on the internet as a sex offender and call a probation officer. He was not given the insulin his body needed for almost a year as he with autism was moved from jail to jail for 11 months, so he had to get to the doctor right away and start back on the correct amount of insulin his body needed. It was an adjustment for him and his family with his autism, OCD and anxiety to be back home again. We all had to adjust to a probation officer who can come at any time to the house. We were told that Brian couldn't have any Disney movies in his apartment. We had

attorneys ignoring us and watched all of Brian's constitutional rights being denied him and found out if you are poor, you really don't have any rights in the court system, and court appointed attorneys don't do anything to help you to prove you are innocent. In Brian's case, he was receiving threats before he went to jail and more threats after he read his discovery 2 months after his release from jail and tried to do an appeal. How many cases does the court have where the person they claim is downloading child porn keeps getting threat emails that they plan to set him, his friends, family & attorneys up with child porn and actually do it? The threat emails state that they know people in this district of North Carolina who will make sure that Brian is not freed from the child porn registry no matter how much proof he has of his innocence.

In this letter to the court, you will see that just as soon as Brian started his appeal in January, 2015, he and his friends started getting threat messages. Court said that Brian waited too long to do this appeal. Then they claim he had one year to do his 2255. Brian, his family, and Attorney Sue Basko has made it clear many times declaring under oath with proof that Brian is innocent, but the judges, the prosecution and attorneys court appoints to represent Brian keep ignoring Brian's constitutional rights. They ignore Brian's proof of innocence. No one told Brian that there was a time limit of one year to do his 2255 from November 2014 – November 2015.

Instead Brian received threat texts to stop the appeal, had an attorney appointed to him for the appeal who told Brian & his mom that he was too late to do the appeal, and when Brian, Attorney Sue Basko and Brian's grandparents sent him copies of threat emails and text Brian and his friends had received to stop the appeal, this attorney and Brian's probation officer at the time ignored that. Even though the threat emails admitted setting Brian up with child porn, said they planned to send more child porn and threatened Brian's life if he continued fighting to prove he is innocent. When Brian's probation officer came to Brian's grandparents' apartment angrily demanding for Brian to sit down and listen to her to stir up an autistic meltdown two months after we sent her copies of these threat text Brian had received and threat emails Attorney Sue Basko had received, she was successful. Brian had an autistic melt down, obeyed everything she told him to do but just like a child who is angry, Brian threw some small items on the carpet and called her some names. For this Brian was arrested a month later, sent to a jail in another state for a month. Was given the wrong insulin in jail, suffered a severe seizure, and doctor apologized to Brian and said he re-trained the nurses. Brian kept sending pro se motions to the court again about the bad medical treatment he was receiving in the Forsyth County jail for his brittle diabetes and for his autism.

Even though Brian had an autistic melt down on April 28, 2015, after he calmed down on the same day, he called his probation officer on the home phone, left a message apologizing for his anger and for calling his probation officer names after she told him that he could not send any more text to his attorney who was supposed to be helping him with the 2255. He called her (his probation officer) that same day to apologize for his autistic meltdown and for calling her names, sent her a fax apologizing and had his mom to email her. Then 2 months later in court, he again apologized. The judge took Brian's autism in consideration, then let Brian come back to his apartment in Virginia under home detention with an ankle monitor for six months: June 30, 2015 to December 30, 2015. This took care of the year that Brian had to do his 2255.

He gets threat texts on his grandma's cell phone that he was borrowing, and his friends & alternative news acquaintances get threat emails and child porn sent to him & to his friends in February – March, 2015. There was one person who was an attorney whom Brian had contacted before his arrest who had helped other political activist who had received threat emails with child porn attachments. She sent emails right away to Brian's court appointed attorney and to the prosecution attorneys telling them about these threat emails and about Brian's health problems and that he is innocent. Both attorneys ignored this and other emails she sent to them. She sent a letter to the judge in Brian's case with the same information in September, 2014. After Brian started his appeal, she got a threat email with foul language telling her to tell Brian to stop his appeal or bad things will happen to her, to Brian and Brian's family and attorneys. He contacts his probation officer and turns his grandmother's cell phone to her in March, 2015. He talks about his case on a radio show, three days later his probation officer comes over to his house, angry, ordering him around and making unreasonable demands. She has her boss to put an arrest warrant out for Brian who is arrested a month later and spends a month in jail. Brian is punished for having an autism meltdown.

In the court records on June 30, 2015, Brian's at the time probation officer (Kristy Burton) says that no one wants to check Brian's grandmother's cell phone to find out who sent that (child porn images) in a text message to his phone after all of the threats Brian and his friends had received to have Brian to stop his appeal. He even got death threats which all were ignored by this probation officer and Brian's attorney whom the court had appointed for his appeal. Brian sent copies of these threats to the FBI and to the NC Middle district court. All ignored this. See copies of these emails and threats in this document. It is now February 28, 2018 (3 years later), and no one has notified Brian or his family about the cell phone with the 2 calls from the Mayodan, NC police department on Feb. 5 – 6, 2015; the threat text Brian received on this cell phone a week later and actual child porn a couple of weeks later. This has taken 3 years. Brian has been trying to get a copy of his false confession tape

(dated Aug. 29, 2012) and a copy of his SBI discovery from Greensboro, NC (dated October. 2013) since January, 2015. Three years and a FOIA court case started in April. 2017 in Danville, VA, and he still has not received a copy. YET this court says he has one year to file his 2255 to prove actual innocence to the court, and this court continues to ignore all of the proof that Brian and his family have proven to the court.

Brian and his family have sent letters with proof to this court for 3 years with PROOF that Brian was set up (FRAMED) and is INNOCENT. This entire court especially prosecuting attorney is ignoring everything. Just like these angry threat letters to Brian and friends and alternative news acquaintances which state they want for Brian to stay on the sex registry and on probation so they can continue watching him. This court is making sure that he stays on the registry when he is innocent, has committed no crime. We have sent proof to this court using the very police report and the very NC SBI report that was used to arrest Brian.

The proof of his innocence and set up is in the government's proof. The proof that his court appointed attorneys and the prosecuting attorney ignored witnesses and Brian's constitutional rights are in the transcripts in the court records. This court ignores the fact that anyone can hack into your computer and put child porn in it or send emails with child porn. Even knowing that Brian has brittle insulin dependent diabetes, autism, OCD and severe anxiety problems, the court in fact continues punishing (cruel unusual punishment) by denying Brian his constitutional rights, appointing him attorneys who act more like prosecuting attorneys than defense attorneys, ignoring proof of innocence in documents sent to the court and witness letters, not giving Brian all of the insulin his body needs, not letting him have bail so he can go home to Virginia where his Medicaid insurance, his disability Medicaid waiver is to receive 40 hours of paid medical assistance per week, where his family and support system is, where he could have been free to get the proof of his innocence in 2014 (Innocent until proven guilty).

The prosecution continues using the police report and the false confession from 2012 against Brian even though Brian and his family have proven that Brian's confession statements are false and a result of his disabilities: brittle diabetes, autism, OCD and anxiety being questioned by two detectives at lunch time ignoring all of the laws pertaining to police questioning disabled people (ADA laws). Brian and his family have proven bias of both police and why from articles Brian Hill (USWGO) had written about Mayodan attorney (pro tem senator Phil Berger and Mayodan police chief, Caruso in July, 2012. These 2 police detectives state in the police report in August 22, 2012 that they are familiar with the child porn that they claim they saw on Brian's computer when they hacked into his

laptop a week before they got the search warrant. The government states that the child porn is not part of a known series in September, 2014. Brian and his family have proven using the 2 witness reports from the prosecution: Mayodan police report and the SBI Discovery report that there should have never been an arrest made at all.

According to the police report, Mayodan police did a raid on Brian's house on August 28, 2012. They confiscated computers, hard drives, USB sticks, homemade CD's, DVD's, etc., all items removed from Brian's house are listed in several pages of the Mayodan police report inventory. They (2 police detectives) question Brian alone at lunch time on Aug. 29, 2012. They ask Brian how long he has been downloading files. Brian's answer 1 year or so does not match the police report which states the dates of July 20, 2012 – July 27, 2012 (one week). This answer does not match the NC SBI Discovery report from the Greensboro, NC SBI office which states the dates of July 20, 2012 to August 28, 2012 (The day the police took the lap top computer from Brian's house) abt 38 days. However, the SBI report says it continued being downloaded for another 11 months after the police got the laptop while this computer was in the possession of the Mayodan Police Department and the NC SBI office in Greensboro, NC. July 20, 2012 to July 28, 2013. We have brought this information out several times, but the prosecution continues to ignore it. Police ask Brian if there was any other computer with child porn files in it, and Brian tells them he has a netbook they didn't get during the police raid. Comparing the serial number from the police inventory with the NC SBI record, there was no child porn files at all in that netbook. There are no photos at all in the Mayodan police report nor the NC SBI report showing child porn photos (should be blurry photos) only typed descriptions. There is really no proof at all from the prosecutions attorneys.

Prosecution and court also ignore these statistics from the Innocence projects report from 2017: "More than 1 out of 4 people wrongfully convicted but later exonerated by DNA evidence made a false confession or incriminating statement". It is proof that people with autism due to their communication disability also will make a false confession or incriminating statement, and that is why police are supposed to be trained and or have communication aids during police interrogation of people with autism. This is in fact LAW (Americans with Disabilities). This entire court system in this district of NC is showing discrimination against Brian and his disabilities.

This all started when USWGO (Brian David Hill) put this video on his YouTube video, his USWGO Alternative News web page and other web pages on **July 10, 2012**. Mayodan, NC police report and NC SBI Discovery report both agree that the date they found child porn on Brian's computer was on **July 20, 2012**.

Please read this article and read what the person from Archive Truth Protector says about Brian and the NC law enforcement after Brian David Hill took down his USWGO website. There were many articles about this in July 2012, and this is one that Brian's grandma found & decided to include in this letter. Read what Brian said about his experience at the Mayodan, NC town hall meeting on July 9, 2012 (yes, this was 11 days before the Mayodan, NC police report and the NC SBI Discovery report state that child porn (CP) was being downloaded in Brian's laptop computer). Brian got threat emails in April, 2013 at the time that the NC SBI from Greensboro, NC had Brian's computers where whoever sent these admitted putting child porn in Brian's computer and hard drives.

Reporter forced back by Mayodan Police for asking Senator Phil Berger a question : Brian D. Hill, Former USWGO Alternative News political organization : Free Download & Streamin...



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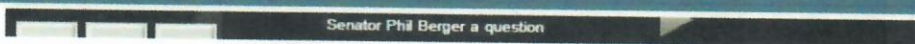
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View movie


Brian D. Hill, Former USWGO Alternative News political organization

Reporter forced back by Mayodan Police for asking Senator Phil Berger a question (July 10, 2012)



1
Reporter forced back by Mayodan Police for asking Senator Phil Berger a question
00:27

Prefer flash? • Embed • Questions/Feedback?

NOTICE--VideoNOTICE--Video Backed up from the Official USWGO YouTube channel before USWGO Alternative News was forced offline due to some kind of government censorship task force.--NOTICE --RIP! USWGO Alternative News and farewell to Brian D. Hill a great reporter/journalist, truth seeker, always provides credible sources, and was slowly becoming the first autistic disabled young man to take on the government corruption and World Government Agenda so enjoy the videos that are archived as his videos he still kept up are being deleted right and left. His site may be gone but his achievements he published online will always be in the hearts of private detectives, investigators, researchers, and truth seekers not to mention Anti New World Order activists rebellious to the New World Order. Description and Title were collected from the USWGO Channel as well.
--Notice over--

The Mayodan Chief of Police forced me, Brian D. Hill, back from state senator Phil Berger and got in my face as you see in the video. I was also booted from the town council room and will likely be banned from the Mayodan Town Council. There is extra audio recording of the incident but got intimidated and tried to get out of there. So asking State Senator Phil Berger a question is a crime. When I was intimidated by the chief of police and a little threat was put in at me I promised out of fear that I wouldn't approach him right at the town council bench again. So I pretty much cannot give him petitions or anything anymore. I guess Phil Berger is really a cohort of a Bilderberger the way he acts!!!!

Added by ArchiveTruthProtector:

This is a historical video of a reporter Brian D. Hill whom has ran a Alternative News website for over 3 years being

attacked right and left (Righthaven, website hacks, death threats, threats, other attacks, harassment) to get him to shut down his website and cease his patriotic activities, the chief of police as you have seen in the video never asked him to leave the town council chambers but was getting him to leave against his will simply because he questioned that state senator Phil Berger Sr. Phil Berger is apart of the New World Order and it is all on record when you research the North Carolina state board of elections records when his campaign contributions from two of the six mega banks that bragged that they conquered America (Wells Fargo, Bank of America). Whether this Berger guy is aware of it or not he is apart of the New World Order master plan to infiltrate and conquer the state governments so that people cannot get the states to fight the corruption in the Federal Government as it will be impossible with people like Phil Berger taking over the state legislatures. What the chief of police did in that small town of Mayodan was a violation of human and civil rights as asking questions is a reporters right and duty in Freedom of the Press. As long as the reporter is not interfering with the official government actions and duties a reporter has a right to videotape and ask questions without being arrested or booted out of official government buildings. That police officer was in the wrong and now Brian's website has disappeared likely due to background pressure from Phil Berger's people although we have no evidence as of it directly proving involvement but it is just speculation that the chief of police was involved with the state senator to crackdown and ruin the reporter to protect the state senators image. It's all about dirty politics and fake republicans working for six private mega banks that brag on CNBC and the financial times of London that they have conquered America with their foreign banker takeover of the United States of America.

This movie is part of the collection: [Community Video](#)

Producer: Brian D. Hill. Former USWGO Alternative News political organization

Production Company: USWGO Alternative News

Audio/Visual: sound, color

Language: [English](#)

NOTE: Whoever wrote this article is not aware that Brian wrote an article on JULY 12, 2012 that police were harassing his mom now after Brian put this video on his USWGO YouTube page on JULY 10, 2012. Someone hacked into Brian's laptop computer and put a virus with child porn in his computer on JULY 20, 2012. According to the Mayodan police report, it was downloaded for 7 days and according to the NC SBI Discovery files, it continued being downloaded 11 months after the Mayodan police confiscated his computer. According to threat emails Brian and his friends received in February, 2015 whoever still has Brian's computers at that time threatened putting more child porn in them. Would this be the Mayodan, NC police department or the NC SBI in Greensboro, NC? Brian received a hard drive from the Mayodan police department in Feb. 2015, and it had photos of naked children in it. This was on Valentine's Day (Saturday). It was starting to snow, so family destroyed the hard drive; put it in different pieces in different grocery bags. Went out to eat at Cook out in Rocky Mount, VA and stopped at various gas stations in Martinsville, Va to Rocky Mount, VA and back home putting these pieces and old non working laptop computers from Mayodan police in various trash bags at gas stations, etc. Going back in history, Brian received these threatening emails on April 7th & April 9th, 2013 in his USWGO email while living in Martinsville, VA and during the time that the NC SBI was examining Brian's computer in Greensboro, NC: Threats were proven to be true. Many alternative news people received similar threats and emails with child porn attachments in 2013. In one of these threat emails, they include names of Brian's (USWGO) email acquaintances, and during the Mayodan police interrogation, they asked Brian to give them his password to Brian's USWGO email account. Attorney Sue Basko and Brian and his family also sent this proof to the court. Prosecution continues to ignore this as well. If you continue to ignore, maybe it will go away.

You better watch out.....

johnsnatchz@tormail.org <johnsnatchz@tormail.org>
To: admin@uswgo.com

Sun, Apr 7, 2013 at 5:30 AM

You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!



Your gonna get it

sallysamsong@tormail.org <sallysamsong@tormail.org>
To: admin@uswgo.com

Your gonna get it...We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

Here is an article on the next page from someone who knew Brian and his family and all about Brian's situation a year before this child porn set up on Brian and was a member of the facebook support group which Brian's friends started after Brian was arrested. He writes true facts, and Brian's family feel that he explains the facts about Brian really well so the court will understand more about who Brian was before this set up as well as facts from someone who read the police report which Brian had shared with him and others before Brian's arrest. Brian had many true friends in this support group at the time who were really concerned about Brian, so Brian's mom and grandparents were keeping them informed on how Brian was doing his first few days in jail, and they were helping Brian's family find out more about where Brian was each time Brian was moved. He is another witness of many whom Brian's court appointed attorney ignored. One time Brian's mom recorded one of Brian's seizures in 2011 to show to the neurologist and gave Brian's grandparents a copy. Brian's grandmother in a facebook messenger conversation decided to send this to our friend, so this person knew for a fact that Brian was having seizures due to his brittle diabetes.

The Plight of Brian Hill and the Injustice of Autism.



Posted by [Ken Bingham](#) in [This Blog](#) on January 4th, 2014



Brian Hill was a blogger who reported on alternative news. I got to know Brian Hill when I was following the notorious copyright trolling outfit Righthaven who filed suit against Brian for copyright infringement for posting an image of a TSA agent groping a passenger. Later Righthaven dismissed the suit after Brian Hill proved to be a PR disaster for them. He was instrumental in bringing them down. Brian's Righthaven story was featured in the [New York Times](#).

Brian has autism and a severe form of [Brittle Diabetes](#). He is extremely prone to seizures that occur often. He is unable to work and his mother who takes care of him cannot work because he requires round-the-clock care. He survives on \$700 a month on an SSI check in which Righthaven illegally threatened to garnish.

Now Brian has a far worse problem. Besides upsetting the politically well connected people who created Righthaven he also upset some local North Carolina politicians with his reporting. Over a year ago his home was raided and according to the search warrant he was suspected of downloading numerous movies and images containing child pornography. The investigators admitted in the search warrant they were movies they were very familiar with and even described them in detail in the search warrant.

The probable cause that was used to obtain the search warrant was based on nothing more than an IP address. IP addresses have been ruled in several [court cases](#) to be insufficient evidence in identifying an actual computer user in cases regarding p2p networks and piracy. In the police raid they took every computer and related devices in the house including thumb drives and CDs. Over a year went by and neither the local officials nor the State of North Carolina filed charges

and told Brian's family no charges were to be filed and that he could come get his stuff. Brian went into the hospital so he was not able to retrieve them but a family member called the police dept who told him the Dept of Homeland Security had seized all the items. The family received a call from Homeland Security who said they had an arrest warrant for Brian and according to one family member the agent threatened to rip Brian out of his hospital bed if necessary. A promise they kept.

Brian was literally yanked out of his hospital bed on the Friday before Christmas. A time where most people are on vacation and would garner the least amount of media attention. One year and four months after the raid Brian was placed in a North Carolina detention center where according to the family they only gave him half the insulin he needed and served him food full of carbs. Food that could have killed him in which he declined to eat putting his health at even greater risk. He was told they had no other kind of food to feed him. It was 5 days before they allowed him to see a doctor. By then his blood sugar was dangerously high.

None of the movies the investigators described in such odd detail in the original search warrant were found. Movies that were so graphically detailed in which investigators admitted they had watched and were very familiar with. Brian was charged with a single image that prompted the judge to deny bail and declare him a threat to society even though he went a year and four months without incident and was not a flight risk. According to DOJ statistics only [5% of Federal defendants](#) are denied bail outright and forced to stay in jail for the duration and that is reserved for the worst of the worst and those who are an imminent danger or likely to flee. Brian is being treated differently than other defendants for similar charges.

The judge in the bail hearing seemed to be completely unsympathetic to his autism or health concerns and did not even include an autism advocate or seek information on how to deal with an autistic defendant or attempt to understand Brian's disabilities. (Please read Brian's Mother's words regarding this below). The judge denied him bail even though keeping him in jail could prove deadly even though bail has been granted to far worse offenders including a man found with child pornography that worked for the local police dept. The US Attorney said he would only release him under the [Adam Walsh Act](#) which would be impossible for

Brian to comply with since he lived in an apartment building and would be within 1000 feet of a minor. No other relative could take him either because of the restrictions or places suitable to tend to his health issues. Brian was given a court appointed lawyer who was unable to convince the judge that Brian's life was in danger and he was not a threat or flight risk.

So far they have moved him around three times without even notifying his family or his lawyer. To someone suffering from autism changes in environments can be extremely disorienting and upsetting. It is if the authorities are intentionally trying to exacerbate the problems associated with autism and diabetes.

Brian spoke out against the government and warned about our loss of freedom. His blog has now been shut down that once got thousands of hits per day. If convicted he will go to prison for a long time as a sex offender. He will never be able to go on the Internet again or even own a computer and lose all disability benefits including SSI and foodstamps. He has been silenced and may not even survive at all because he offended some powerful people. The people he warned others about in his blog.

These are the words of his mother...

Autism and Law Enforcement

On December 20th on a cold autumn day my son was arrested by Homeland Security from a hospital in Virginia. The arrest warrant claimed that he had an illegal file on his computer. My son has mild autism, but the horror of our U.S. legal system is that his disability is not recognized by any of the law enforcement agencies. In fact, autistic people are treated just the way everyone else is within the legal system. They are expected to understand the legal process and navigate through all the terminology and rules on their own and without any kind of autism advocate or family to help them through the process. He was forcibly taken

away from his family and friends and was left to deal with everything on his own accord. I have been his parent and caretaker for the last 23 years and I have always been there to take care of his health care needs and school problems that always inevitably presented themselves throughout the years he was in the public school system. Now after 23 years of working sometimes around the clock to help my son with severe insulin reactions, seizures and other autistic related problems that have come up over the years; I am suddenly unable to care for my son. You can't even begin to imagine the horrible worry and anxiety that I am going through at this time, because I can't be there to help him anymore. Brian has been unable to learn how to drive, to work on a job or to pay bills and live independently. I have taken care of him all of these years, and now the jail system has become

his caretakers. Will they understand how to deal with his meltdowns due to his lack of understanding because of a quick transition or because he doesn't understand their rules? I think not. The problem is that not many law enforcement agencies are prepared to deal with people with autism. That should be a concern for every parent with a child that has autism.

Currently, my son Brian David Hill sits in a jail all alone in North Carolina waiting to prove his innocence in the courtroom. There is no one there to speak on his behalf and with his communication problems associated with autism, I wonder if he will understand all the rules in the jail. He understands writing much better than verbal commands, but none of the jail guards or law enforcement agencies that work with him have probably ever been trained to work with someone with autism. Is this not a travesty that the justice system with the US courts and law enforcement agencies don't know how to deal with an autistic person? It seems obvious

that Brian will not get an equal treatment or justice within the US legal system, because the system treats everyone the same regardless of whether the person has a disability within the autism spectrum. For now, people like my son Brian and other autistic adults are left to fend for themselves within a system that seems unequipped and ignorant to deal with their communication and behavioral handicaps. May God help them all!

*"You can judge a society by how well it treats its prisoners".
-Fyodor Dostoevsky*

Here is another Witness report from someone who was familiar with Brian David Hill and his USWGO articles: Brian had many character witnesses, so this is another one of many. He didn't know that Brian was arrested on Dec. 20th 2013 instead of 23rd.



Michael Remington

58 minutes ago via WePay

Brian Hill, activist and independent journalist, had been arrested on December 23 on false charges; and remains in custody. He had become quite ill due to lack of medical attention (insulin); and desperately needs your support!

This young man is very likely a political prisoner, held under false felony charges, in my opinion. He needs your support to fight these charges, prove his innocence, and regain his freedom. Prior to his arrest, he had worked hard at revealing truth and uncovering corruption. If individuals such as Brian did not exist, the world you live in would be quite unpleasant. It is time for you to return the favor. Please donate (WePay link below) and share. Thank you.

Brian and his family were able to read the Discovery together for the first time on January 22, 2015. Within a week Brian started an appeal in his criminal case. Things got busy as Brian, Attorney Sue Basko and others started receiving threats in February, 2015 for Brian to stop the appeal and remain on the sex registry, but first a copy of the documentation Sue Basko sent to the court in September, 2014 and proof from court transcript on Sept. 30, 2014 that Brian's court appointed attorney and prosecution attorney were ignoring witnesses in Brian's case and ignoring Brian's constitutional rights:

U.S. District Court
North Carolina Middle District

USA v HILL)
)

Case No: 1:13-cr-00435-WO

Chief Judge William L. Osteen, Jr.



Declaration of Susan Basko in Support of Brian David Hill's Motion to Withdraw his Guilty Plea, Motion for a Substitute Attorney, Sentencing, and any other purposes

1. My name is Susan Basko. I reside in Illinois. I can be reached by email at SueBasko@gmail.com and by phone at 310-770-7413. I have a website at <http://suebasko.blogspot.com> and another one at <http://subliminalridge.blogspot.com>
2. I am a lawyer licensed in Illinois and California. I practice law for independent media, including for the internet. I do not generally go into court, so ask the Court to please forgive if my paperwork is not in the exact usual form.
3. I am aware that Brian David Hill is innocent of the charges and I will explain herein how I know this.
4. I am aware that Brian David Hill was a volunteer independent journalist active in independent online media and in the Patriot or Constitutionalist movement. Brian has many such videos on Youtube. Brian was active in supporting the repeal of the NDAA.
5. I am aware that Brian David Hill was part of a group of friends or associates who also are independent journalists or activists in the Patriot or Constitutionalist movement, including the other men I will name in this declaration.
6. In early July of 2014, I got an urgent message from Luke Rudkowski, an independent journalist with We Are Change, saying he was in Poland and someone sent him an email saying they had exclusive photos from the Bilderberg Conference, which he had just covered, and telling him to download the pictures and pass them around. The email was a bit suspicious since it went to an email account Luke had not used for several years. Luke previewed the pictures and saw they were child porn, and did not download them. Then he contacted me about what to do. I told him to contact the U.S. Embassy in Gdansk and have them contact the FBI. Luke did that. He also made a video about the situation. You can view and read the full email sent to Luke and also view the video he made about the situation at one of my blogs at:

<http://subliminalridge.blogspot.com/2013/07/attempt-to-set-up-journalist-with.html>
As I recall, Luke then received a second email stating that the person would do the same to others, meaning that others would be set up with child porn.

7. When I told Luke Rudkowski to contact the Embassy in Gdansk, the purpose was to alert the FBI so that they could prevent Luke from having any trouble in border crossings.

Case 1:13-cr-00435-WO Document 46 Filed 09/30/14 Page 1 of 3

The other purpose was to follow the provision in federal child porn law that gives an affirmative defense under this law:

18 U.S. Code § 2252A - Certain activities relating to material constituting or containing child pornography

(d) Affirmative Defense.— It shall be an affirmative defense to a charge of violating subsection (a)(5) that the defendant—

(1) possessed less than three images of child pornography; and

(2) promptly and in good faith, and without retaining or allowing any person, other than a law enforcement agency, to access any image or copy thereof—

(A) took reasonable steps to destroy each such image; or

(B) reported the matter to a law enforcement agency and afforded that agency access to each such image.

8. Shortly after Luke's situation, a group of indie journalists and activists contacted me and said they had porn sent to them in trick emails where the sender opened an email account in the name of someone the activist trusted. The delivery technique had advanced to placing the images inside a pdf, so they images could not be previewed. These men have access to a computer forensics expert who previewed the pdfs in a "sandbox," and saw they were child porn. These men included Dan Johnson of People Against the NDAA, Stewart Rhodes of Oathkeepers, and several others. These men were aware that Brian David Hill had also had child porn downloaded onto his computer. They were all friends or associates of Brian David Hill.

9. For this set of men that included Dan Johnson and Stewart Rhodes and others, I filed a notification directly to a specific FBI agent in New York City that I thought was trustworthy. That agent told me he forwarded the complaint to an agent that handles such matters. The men were all very tense about the situation. We held a conference email call where they stated they did not want to include Brian David Hill in their complaint because of his autistic behavior and how his lack of public discretion might put them all at jeopardy. The men were all shocked and terrified and had their lives and reputations at

stake. Instead of including Brian in their complaint, they decided to tell Brian to contact me himself if he wanted to file his own complaint. I did not hear from Brian for months afterwards and when he did contact me, I looked on pacer and saw that there was already a federal warrant for his arrest.

10. Brian David Hill blamed his local officials for setting him up with child porn. While this may be the case, I think it is more likely he was set up as one of the people involved in the Patriot movement, just like the other men. Like Luke Rudkowski, Brian David Hill had gone to report on the 2012 Bilderberg Conference in 2012. The child porn attack against Luke Rudkowski came just after the 2013 Bilderberg Conference. The second email sent to Luke Rudkowski warned that others would be set up, too.

11. You can view a video of Dan Johnson and Stewart Rhodes speaking about being set up with child porn here:

<http://subliminalridge.blogspot.com/2013/07/child-porn-emailed-to-activists-to-try.html>

Case 1:13-cr-00435-WO Document 46 Filed 09/30/14 Page 2 of 3

12. Within weeks after I made the FBI report for the group that included Dan Johnson and Stewart Rhodes, I was contacted by several other men who are also set up with child porn on their computers. They were attacked with child porn via other methods. One had a direct download go into his computer, followed by a pop-up saying there was child porn on his computer. I told each of them how to file an FBI report and why it was important. The men all seemed to be in the same social circle of being involved in the Patriot movement. For each of these men, these attacks against their integrity were deeply disturbing, terrorizing, terribly frightening.

13. After I assisted these men and word went out on the internet, I received an onslaught of emails trying to get me to download pictures, videos, or documents. I deleted all the emails without even opening them. I reported many of the emails to Google. Google put out a warning that such emails may be tricking people into downloading pornography.

14. When Brian David Hill finally contacted me, I looked on pacer and saw there was already a federal arrest warrant for him. Brian emailed me a large amount of documents that added up to what I already knew – that he had been set up with child porn. Brian David Hill seemed intent on blaming his local officials for setting him up and that may be the case, but the set up could also have come from anyone in the world. It seemed more likely to me that since Brian was set up at the same time as the other men in his same social and activism circle, that he was set up by whoever was also setting up the other men.

15. Brian David Hill has autism and diabetes. When Brian has communicated with me, it takes a lot of patience and time and skill to understand his points, because he concentrates on tiny details. I think he needs a disability advocate to help him have a fair trial.

16. I emailed this information about the child porn set-ups very early in this case to both Brian's lawyer, Eric Placke, and to the prosecutor, and did not hear from either one of them.

17. I have been told by Brian's grandparents, Ken Forinash and Stella Burnette, that Brian wants to withdraw his guilty plea because he is innocent and that he wants a substitute public defender. I have communicated these needs of Brian's to the public defender's office head, Louis Allen, as well as to Brian's lawyer, Eric Placke, and to a Senior attorney with the office, Greg Davis.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 24, 2014

signed electronically: /Susan Basko/

Susan Basko

Email: SueBasko@gmail.com

phone: 310-770-7413

Susan Basko 9-24-2014
Please feel free to contact me.
Thank you.

Next: copies of the September 30, 2014 court transcripts where Brian's court appointed attorney, Placke and the Middle District of NC prosecutor, Ramaswamy admitted to the judge that they ignored many witnesses who came forth who wanted to testify for Brian David Hill. In admitting to this, they both admitted to ignoring Brian's right to a trial and hearing and ignoring Brian's constitutional rights!

1 IN THE UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF NORTH CAROLINA

3 UNITED STATES OF AMERICA) Greensboro, North Carolina
4 vs.) September 30, 2014
5 BRIAN DAVID HILL,) 11:11 a.m.
6 Defendant.) Case No. 1:13CR435-1

7
8 TRANSCRIPT OF HEARING
9 BEFORE THE HONORABLE WILLIAM L. OSTEEN, JR.
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: ANAND P. RAMASWAMY, AUSA
Office of the U.S. Attorney
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401

For the Defendant: ERIC D. PLACKE, AFPD
Office of the Federal Public Defender
301 N. Elm Street, Suite 410
Greensboro, North Carolina 27401

Now, having said that, I received a declaration from a woman named Susan Basko. Ms. Welch, if you'll hand that to Mr. Ramaswamy. I don't know if you all have seen that declaration. If you'll step forward and take a look. Have you seen that, Mr. Placke?

MR. PLACKE: I have, Your Honor. That is what arrived at our office via email last week, one of several different emails from Ms. Basko.

THE COURT: Have you communicated with her at all?

MR. PLACKE: No, I haven't, Your Honor.

THE COURT: I don't know who she is to make -- she claims she's a lawyer.

MR. PLACKE: I did check with the California State Bar and the Illinois State Bar. She is currently admitted to practice in both states.

THE COURT: Is this Mr. Hill's family in the back?

MR. PLACKE: It is, Your Honor.

THE COURT: Grandparents and mother?

US v. Hill - Hearing - September 30, 2014

5 THE COURT: Mr. Ramaswamy, if you don't mind, will
6 you hand that affidavit back to Ms. Welch. Let me ask you
7 about this. If you all don't mind, if you'll step forward.
8 Right behind Mr. Placke will be fine. Actually, just Ken
9 Forinash and Stella Burnett. Mr. -- is it Forinash? Is that
10 correct?

11 MR. FORINASH: Yes, sir.

12 THE COURT: Let me ask you first. This affidavit
13 says that "I have been told by Brian's grandparents, Ken
14 Forinash and Stella Burnett, that Brian wants to withdraw his
15 guilty plea because he is innocent, and he wants a substitute
16 public defender." Did you all tell her that?

17 MS. BURNETT: Yes, sir, we did.

18 THE COURT: And why did you tell her that?

19 MS. BURNETT: Because Brian is innocent, and he's
20 really not been represented. This attorney has never talked to
21 us until right at the end. He called us the night before the
22 sentencing hearing and told us to have Brian to plead guilty
23 and so that's what we did, and that was wrong because Brian is
24 not guilty. He's got autism. He's not guilty. He doesn't
25 like being around children.

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5

1 THE COURT: What does the autism got to do with his
2 guilt or innocence?

***** NOTE: I was nervous and should have explained to the court that we were not allowed to read the discovery at this time, but Brian was questioned alone at lunch time by 2 local detectives who ignored ADA laws when questioning Brian and got a "false" guilty plea and misleading statements from Brian due to his autism. I also meant that Brian's attorney never asked to meet with us in person until Sept. 2014 (Dec, 2013 – Sept. 2014). He also refused to answer questions we asked him about the discovery papers and told us and sent an email that we were not allowed to see it even though our disabled grandson, Brian made it clear to him that he wanted his mom & grandparents to see, hear and read the discovery that had him arrested (Stella Burnette Forinash).

US v. Hill - Hearing - September 30, 2014

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1 Government's impression of this situation is at this point?

2 MR. RAMASWAMY: Frankly, Your Honor, I had not
3 considered it in the manner that the Court has framed it.
4 Early in this matter, very early in this matter, there was an
5 email. I believe because our email addresses are part of the
6 ECF record, Mr. Placke and I received the same email. As
7 Mr. Placke did, I did confirm that she was -- this person was a
8 licensed attorney in California, appears to be a licensed but
9 nonpracticing attorney.

10 I did not look at it so much in the attorney context
11 because -- as with much of the filings here and some of the
12 things that are from prior proceedings in this court and in the
13 magistrate court related to Mr. Hill that become reported on
14 the internet by persons associated with him that are largely
15 not representing what actually happened, it appeared that
16 person, the attorney, was yet another one of the ones
17 associated through the internet of reporting things were not
18 factually correct to maintain the actual innocence.

19 I hadn't considered it in terms of her -- she's the
20 only one of the group who is in that filing to the Court using
21 her credentials as an attorney to bolster her statements, but
22 there are a number of people, not in filings to the Court, but
23 in internet postings who, I'd say, maintain similar positions.
24 That had not been a concern because I think to explore that
25 further may go into some of the issues and the persecution --

US v. Hill - Hearing - September 30, 2014

8 MR. PLACKE: Just two things, Your Honor. One
9 related to Ms. Basko and some of these other folks. I did
10 review everything that she sent to our office. I did check to
11 see if she was actually an attorney. I was concerned that she
12 was expressing opinions that didn't seem to have a basis in
13 knowledge of the evidence in the case. She had asked in her
14 email that I present this declaration to the Court. I declined
15 to do that. But I tended to view it like much of the other
16 internet material I had seen related to this case, intended to
17 sort of place her in that category of people. I didn't realize
18 she was going to send her declaration directly to the Court.

19 THE COURT: She sent it to be filed on CM/ECF, and
20 the Clerk's Office sent it to me for determination as to
21 whether it should be filed on CM/ECF.

22 MR. PLACKE: Quite frankly, when she sent it to me,
23 and I just let it sit there declining to do anything further, I
24 thought that was going to be the end of it.

25 THE COURT: That's what I would have done if I had

US v. Hill - Hearing - September 30, 2014

1 been in your shoes.

2 MR. PLACKE: She actually mentions some folks in
3 there, one of whom I did talk to at length at Mr. Hill's
4 request some months ago, a Mr. Dan Johnson. He -- we spent
5 quite a bit of time on the phone, and he gave me his opinion
6 about exactly what had happened and how I should handle the
7 case and so forth. I asked some pointed questions about how
8 what he was saying would fit in the rules of evidence and the
9 rules of procedure, and that sort of turned the conversation a
10 little bit. Mr. Johnson is a 20-year-old in Ohio who is very

11 active on the internet and concerned about certain issues and
12 had been in contact with Mr. Hill. After that conversation, I
13 didn't view it as particularly productive for Mr. Hill's
14 defense to continue contacting all these other people.

15 Anyway, my point there and my first point was simply
16 in trying to triage how to handle things in this case, I tended
17 to put things from Ms. Basko in the same category as my phone
18 conversations with Mr. Johnson, again, not knowing that she
19 intended to send her declaration directly to the Court.

20 The second thing I would say regarding the whole
21 issue of counsel is Mr. Hill has continued to ask for new
22 counsel. It's continued to be my view that under the
23 circumstances, our office -- I should individually and our
24 office as an office should do everything we can to assist
25 Mr. Hill and as much as possible shrug off, if you will, some

US v. Hill - Hearing - September 30, 2014

***NOTE: Mr. Johnson was one witness of many who came forth to testify for Brian. Placke never once mentioned that there are court cases of people set up with child porn on the internet. With the right attorneys and investigations, these people were found to be innocent of knowingly downloading

child porn. Mr. Johnson was a witness to the fact that he knew Brian and had a child porn attempt too. All Mr. Placke did was to ignore Brian, family and friends and ignored all of the proof of Brian's set up and false confessions which he had the proof at this time in the Mayodan police report and in the NC SBI Discovery report. Placke acted like the prosecution attorney instead of the defense attorney. He deleted all of the proof Brian's family sent to him in emails, didn't ask for any proof and when it came time for a trial, he had nothing to offer the court for Brian's defense. Having this attorney was worse than having no attorney at all.

Judge Osteen then says:

12 And there's one of two ways to interpret Mr. Hill's
13 actions. Either Mr. Hill is genuinely attempting to establish
14 his innocence believing that he has been wrongfully prosecuted
15 at this point; or, two, Mr. Hill is being encouraged by a
16 person or persons as yet unidentified to assert positions that
17 are inconsistent with the facts of the case as not publicly and
18 widely known.

19 And quite honestly, in light of some of the -- in
20 light of the investigative materials as I've had a chance to
21 see in the presentence report, it would seem to me that even
22 if -- even if there were some way to establish some of this
23 with respect to these other individuals being set up that
24 Mr. Hill still faces an uphill battle in light of the materials
25 that were found and in light of his statements given to law

US v. Hill - Hearing - September 30, 2014

STATEMENTS GIVEN TO LAW! Judge Osteen, this is Brian's grandmother speaking again. After we (Brian & his family) had a chance to read the discovery together in January, 2015, we found out that the prosecution and the defense attorneys had the proof the entire time that Brian was innocent: The statements Brian made to law enforcement were the statements of a disabled person when 2 police questioned him **ALONE** at **LUNCHTIME** a day after the police raid and ignored the Americans with Disability Act and did not provide communication aids to get a true confession. All the police got

was a false guilty and misleading statements from someone with brittle insulin dependent diabetes, autism, OCD and anxiety problems being questioned alone at lunchtime.

Are you aware, Judge Osteen, that Brian had been getting threatening emails from someone who claimed they hacked into Brian's computer and put child porn in his computer and said they knew people in NC who would make sure Brian was convicted of child porn no matter how much proof he had of innocence? They threatened in April, 2013 setting Brian's friends & others in the alternative news up with child porn. This did happen in 2013, and attorney, Sue Basko was alerting Brian's attorney and the prosecution about this early in Brian's case, in Dec. 2013. Are you aware, Judge Osteen that after you ordered the town of Mayodan police department to return Brian's computers and other items to him that didn't contain child porn that in Feb. 2015, Attorney Jones stopped by the Mayodan police department, and someone in the police department gave him some computers to bring to Brian in Martinsville, VA. Included was a small laptop hard drive with photos of nude children in it. A few days before Brian got these items returned to him, Attorney Sue Basko and others were receiving threatening emails to have Brian to stop the appeal. Someone through threatening phone text messages to Brian admitted to sending that hard drive to him with child porn and said they had his other things which belonged to Brian and would put child porn in that and send more child porn to his email and would make sure that you, Judge Osteen would preside over his case again? What kind of sick people would do this to an innocent disabled person? You, this court, all attorneys in this court, FBI and others continue to push the IGNORE button and continue to tell Brian there is a year limitation to prove his innocence, and that year ran out in November, 2015.

To the court reviewing Brian's 2255: On the next few pages are copies of threat emails that attorney Sue Basko and others received on February 5, 2015 for Brian to stop his appeal. Brian's grandmother went to hers & her husband's yahoo email account on Feb. 1-3, 2018 to get copies of emails Sue Basko sent to Brian's grandparents about this and copies of emails Brian's grandparents sent to his probation officer at the time as well as the attorney this court appointed to handle Brian's appeal. Brian started this appeal in January, 2015 after he & his family got to read the discovery for the first time. We sent copies of these emails to Brian's probation officer, attorney and FBI. On these pages is also a copy of a threat text which Brian received on his grandmother's cell phone on Feb 14, 2015. The threats were presented by Brian to the court, but this is the first time copies of the actual emails have been presented to this court by Brian's family. Please read these. More proof of Brian's innocence, threats for him to stop his appeal, more proof that he was set up or framed with child porn and threats to Brian, his friends, attorneys and family with more CP even death threats less than 3 months after Brian was released from jail. Brian's family was not aware of the year to file his 2255, but someone (or several people) who was or were aware made sure Brian would not be able to do the 2255 the first year. Never once did his probation officer, Burton say anything at all to the court in June, 2015 about these threats or emails. Parts of court transcripts are included in this letter.

2/3/2018

(4,259 unread) - kenstella[REDACTED]@yahoo.com - Yahoo Mail

The screenshot shows the Yahoo Mail interface. At the top, there's a search bar with the text "Find messages, documents, photos or people" and a magnifying glass icon. To the right of the search bar is a profile icon labeled "Ken". Below the search bar is a navigation bar with icons for "Back", "Archive", "Move", "Delete", "Spam", and a menu icon. The left sidebar contains a list of folders: "Compose", "Inbox" (with a badge showing "999+"), "Unread", "Starred", "Drafts", "Sent", "Archive", "Spam", "Trash", "Less", "Views", "Hide", "Photos", "Documents", and "Travel". The main content area displays an email titled "BAD THREAT EMAILS AGAINST BRIAN" from "Sue Basko" to "kenstella[REDACTED]@yahoo.com". The email body contains a message from Sue Basko regarding threats against Brian and requests for legal assistance.

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

← Back ↩ ⏮ ⏭ ⏮ ⏭ 📁 Archive 📁 Move 🗑 Delete 🛡 Spam ... ▲ ▼ ✕

BAD THREAT EMAILS AGAINST BRIAN Yahoo/Inbox

Sue Basko <suebasko@gmail.com>
To: kenstella[REDACTED]@yahoo.com Feb 5, 2015 at 9:05 PM

Dear Ken and Stella

I got two emails tonight from spoofed accounts using my name and Stewart Rhodes' name saying Brian will be set up with child porn and killed. I would like to let Brian's lawyer know right away. Can you send me an email and phone number and name asap? Also, keep Brian safe, since someone is threatening to kill him.

I will send you pdfs of the emails in a bit

-- Sue

Susan Basko, Esq.
California and Illinois
EMAIL: suebasko@gmail.com
phone: 310-770-7413
<http://suebasko.blogspot.com>
<http://suebaskojaw.blogspot.com>

This e-mail message may contain confidential and/or privileged material.
Delivery of this message to any person other than the intended recipient(s)

Q

 Ken

[← Back](#)
[↶](#)
[↷](#)
[➡](#)
[📁 Archive](#)
[📁 Move](#)
[🗑 Delete](#)
[🛡 Spam](#)
[⋮](#)
[▲](#)
[▼](#)
[✕](#)

Did you send an email to us with attachments?



Ken & Stella <kenstella[REDACTED]@yahoo.com>

 Feb 6, 2015 at 7:47 AM

To: suebasko@gmail.com

Cc: rbhill[REDACTED]@yahoo.com,

eric [REDACTED] org.

kenstella [REDACTED]@comcast.net

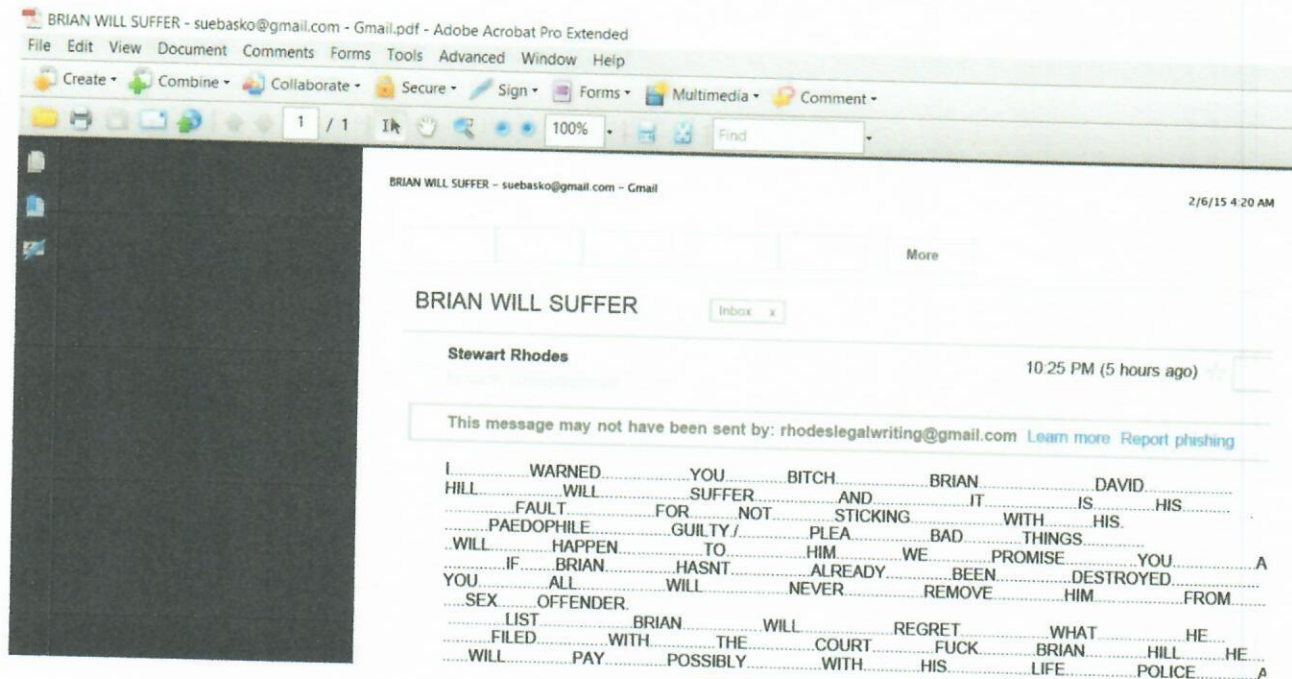
Hi Sue,

We received an email from you with attachments. Want to make sure it was from you before we open them. We are aware of the fake emails that we can get from someone we know, and if we open the attachments, they can obtain child porn images which is what we think could have happened to Brian. Anyway, Roberta if these are real and from Sue. This email was threatening Brian's life. Be very careful. It's probably a good idea not to scare Brian with that threat. Ken thinks it's just a threat, but they did set him up with child porn, and they did make sure that he was found guilty, which proved that email threat to Brian came true. The court would never accept the not guilty plea. The only way he could be free was with the guilty plea, and as we all know, they were only giving him half of the insulin that was required by his body most of the time while he was in the NC jails. Sometimes he was not given any insulin at all in 4 different jails in the Berger district.

Sue, if that email was from you, do you mind making sure that the FBI gets copies and are informed about this threat on the life of an American citizen? You asked for Brian's new attorney, so you can let him know as well.

Mr. Mark A. Jones
BELL, DAVIS & PITT, PA
P. O. Box 21029

<https://mail.yahoo.com/d/folders/2/messages/ALjmjkQAABELVNS31gt9aBsZzpM>



BRIAN WILL SUFFER - suebasko@gmail.com - Gmail

2/6/15 4:20 AM

BRIAN WILL SUFFER

Inbox x

Stewart Rhodes

10:25 PM (5 hours ago)

This message may not have been sent by: rhodeslegalwriting@gmail.com [Learn more](#) [Report phishing](#)

I..... WARNED..... YOU..... BITCH..... BRIAN..... DAVID.....
HILL..... WILL..... SUFFER..... AND..... IT..... IS..... HIS.....
..... FAULT..... FOR..... NOT..... STICKING..... WITH..... HIS.....
..... PAEDOPHILE..... GUILTY /..... PLEA..... BAD..... THINGS.....
..... WILL..... HAPPEN..... TO..... HIM..... WE..... PROMISE..... YOU..... A
..... IF..... BRIAN..... HASNT..... ALREADY..... BEEN..... DESTROYED.....
YOU..... ALL..... WILL..... NEVER..... REMOVE..... HIM..... FROM.....
..... SEX..... OFFENDER.....
..... LIST..... BRIAN..... WILL..... REGRET..... WHAT..... HE.....
..... FILED..... WITH..... THE..... COURT..... FUCK..... BRIAN..... HILL..... HE.....
..... WILL..... PAY..... POSSIBLY..... WITH..... HIS..... LIFE..... POLICE..... HE.....
..... WATCHING..... HIM..... HOWEVER..... WE..... ARE..... WATCHING.....
HIM..... TOO..... EVEN..... IF..... HE..... IS..... UNDER.....
SUPERVISED..... RELEASE..... WE..... CAN..... SEND.....
..... THOUSANDS..... OF..... CHILD..... PORN..... TO..... BRIANS.....
..... EMAIL.....
..... ADDRESS..... AND..... HE..... WILL..... NEVER..... KNOW.....
..... UNTIL..... HE..... IS..... ALLOWED..... ON..... THE..... NET..... THEN /.....
..... BOOM..... VIOLATION..... OF..... PROBATION..... THEN.....
..... EVEN..... THEY..... WILL..... BEAT..... HIM..... UP..... AND.....

BRIAN STOP APPEAL - suebasko@gmail.com - Gmail

2/6/15 4:21 AM

More

BRIAN STOP APPEAL

Inbox x

Susan mBasko

10:34 PM (5 hours ago)

This message may not have been sent by: SueBaskoMusic@gmail.com [Learn more](#) [Report phishing](#)

[illegible]

Click here to [Reply](#) or [Forward](#)

BRIAN STOP APPEAL - suebasko@gmail.com - Gmail.pdf - Adobe Acrobat Pro Extended

File Edit View Document Comments Forms Tools Advanced Window Help

Create Combine Collaborate Secure Sign Forms Multimedia Comment

BRIAN STOP APPEAL - suebasko@gmail.com - Gmail

2/6/15 4:21 AM

More

BRIAN STOP APPEAL

Inbox x

Susan mBasko

10:34 PM (5 hours ago)

This message may not have been sent by: SueBaskoMusic@gmail.com [Learn more](#) [Report phishing](#)

[illegible]

[Click here to Reply](#) or [Forward](#)

2/1/2018

(4,247 unread) - kenstella@yahoocom - Yahoo Mail

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Folders Hide

+ New Folder

1 - Red Box

1 - 60 Plus...

1 - Amazon

Give feedback

Back

Archive

Move

Delete

Spam

Fw: Fwd: YA.....BE.....SORRY

Yahoo/Sent

Ken & Stella <kenstella@yahoocom>

To: suebasko@gmail.com, rbhill@yahoocom

Feb 14, 2015 at 10:44 PM

Hi Sue,

Hope you had a nice Valentine's Day. We just got home today from a trip. Brian got some of his old computers back from the Mayodan, NC police department. His new attorney brought them to our house for him 3 days ago. They only sent the computers that did not work (We gave Brian our old laptops, and he kept their old ones so he could use parts from them). There was mold on the old computers. Brian did get one laptop hard drive back that he thought was his and would work. It was located at the bottom of everything. We went to Best Buy to get him an external hard drive enclosure and brought it home for him today. He did get to look at it, and this was the first time he has ever seen what child porn looks like. This was not his hard drive, but it had some of his Righthaven information in it. He told us about it, so we destroyed this hard drive so no one else would see such nasty pictures. Brian was shocked and grossed out about what he saw and took the hard drive off of his computer right away and ran up in shock and told us about it, really upset. We also decided to take the old laptops and throw them all away. Then about 2 hours after we came home, Brian got a text message on my phone that he borrows sometimes. Sounds like they are threatening Brian, you and Brian's 2nd attorney, Scott (who asked the judge if Brian could get his computers back that didn't have any child porn on them). The judge ordered in Nov. 2014 that these are to be returned to Brian. They must have had a bug on these computers because we threw all of them away, then went out to eat at a restaurant and were only home a couple of hours when Brian got this email. We really need to contact the FBI for sure. It looks like it all comes from the Mayodan, NC police department. Their town attorney is Phil Berger Sr. who is the NC senator who is 3rd in line to be governor.

https://mail.yahoo.com/d/folders/2/messages/ALjmjkQAAALPVOAWKw6C2GD-jv4

2/1/2018

(4,247 unread) - kenstella[REDACTED]@yahoo.com - Yahoo Mail

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Back

Archive

Move

Delete

Spam

laptops and throw them all away. Then about 2 hours after we came home, Brian got a text message on my phone that he borrows sometimes. Sounds like they are threatening Brian, you and Brian's 2nd attorney, Scott (who asked the judge if Brian could get his computers back that didn't have any child porn on them). The judge ordered in Nov. 2014 that these are to be returned to Brian. They must have had a bug on these computers because we threw all of them away, then went out to eat at a restaurant and were only home a couple of hours when Brian got this email. We really need to contact the FBI for sure. It looks like it all comes from the Mayodan, NC police department. Their town attorney is Phil Berger Sr. who is the NC senator who is 3rd in line to be governor.

Sue, we were only on the Internet for a couple of hours this week, so tonight is the first time that we saw your attachments, threatening emails. It looks like the one Brian got on my telephone as a text looks very similar. The ones he got in 2013 looked similar too. Did the emails that the others got look similar? These are very dangerous people. The FBI had better take this more serious this time. This is a weekend. It's late here, and Ken and I are tired from traveling today. Can you contact the FBI on Sunday or do we have to wait until Monday to contact them?

Thank you for sending us the ones they sent to you. Brian's threat is below. Can you read it ok? It was a text message on my phone, and Brian forwarded it to our email so Ken could print a copy for Brian's records.

Happy belated Valentine's Day, Sue.

Folders Hide

+ New Folder

1 - Red Box

1 - 60 Plus...

1 - Amazon

Give feedback

Happy belated Valentine's Day, Sue.

Stella & Ken

----- Forwarded Message -----

From: "2762240862@mypixmessages.com" <2762240862@mypixmessages.com>
To: kenstella[REDACTED]@yahoo.com
Sent: Saturday, February 14, 2015 9:33 PM
Subject: Fwd: YA.....BE.....SORRY

<https://mail.yahoo.com/d/folders/2/messages/ALjmjkQAAALPVOAWKw6C2GD-jv4>



2/1/2018

(4,247 unread) - kenstella@yaho.com - Yahoo Mail

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Folders Hide

Back

Archive

Move

Delete

Spam

We are taking these threats seriously because he had received threatening emails in March and April of 2013 saying he had been set up with child porn and they had people working for the state of NC who would make sure he would be convicted.

Would it be better for you to contact the FBI about this, or should we contact them, if so can you give us a number and contact person? Brian was so upset he did not sleep at all on Saturday night, and this morning, Monday, Feb 16, his glucose level was 38 when his mother checked it. This is affecting Brian's mental and physical health tremendously and something needs to be done about it. The hard drive that was returned could only have been placed in the container by someone with the Mayodan Police Department as that is where it came from and it was in a sealed evidence container. Whoever sent him the text message knew about the hard drive being placed in the container, and it was the same text style as the messages received by Sue Basko and the ones received by Brian in March and April of 2013.

Only Brian's friends have his cell phone number; however he did call the office of Sam Page, who is the sheriff for Rockingham county. The receptionist he talked to said that she was going to contact the Mayodan Police department. Brian received 2 phone calls from Mayodan on February 5th on his cell phone. The Mayodan police department knows Brian's cell phone number, so we assume they got it from Sam Page's office, since he did not give it to them. The same day that the Mayodan police department called is the same day that Sue Basko got 2 threatening emails.

We are also sending a copy of this email to Brian's mom and his current attorney for the appeal.

Please let us know what else we need to do about this. A copy of the threatening text Brian received is below as well as the original is on his cell phone.

https://mail.yahoo.com/d/folders/2/messages/AKPmjkQAAF4_VOIMvQIO0Fsj4Zw

Give feedback

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Folders Hide

Our sincere thanks,

Ken & Stella Forinash
(Brian David Hill's grandparents)

subject: Fwd: YA.....BE.....SORRY

From: 2762240862@mypixmessages.com
(2762240862@mypixmessages.com)

To: kenstella@yaho.com;

Date: Saturday, February 14, 2015 9:33 PM

Awwwwwww.....bet.....ya.....found.....ou
 r.....little.....present
 //////////////////////////////////////our.....harrrd.....drive...
more.....child.....
pornz.....a.....comin.....we.....will..
continuez.....to.....
send.....va.....child.....porn.....v

----- Forwarded Message -----

Awwwww.....bet.....ya.....found.....our.....little.....present/////////
 ///in//////////our.....harrr.....drive.....more.....child.....
pornz.....a.....comin.....we.....will.....continuez.....
to.....send.....ya.....child.....porn.....you.....will.....g
 oto.....prison.....BRIAN.....YOU.....BASTARD.....STAY.....
 AS.....A.....SEX.....OFFENDER.....AND.....
 GO.....GET.....RAPED.....LIKE.....A.....
 GOOD.....SEX.....OFFENDER.....YOU.....WILL.....NEVER.....WIN.....
YOU.....WILL.....NEVER.....PROVE.....WHOM.....PLANTED.....
CHILD.....PORN.....IN.....YO.....DRIVE.....we.....can.....sn
 eak.....into.....sue.....baskos.....house.....and.....plant.....child.....porn.....i
 n.....her.....hard.....cock.....drive.....bitch.....and.....pedo.....bastard.....bria
 n.....pedo.....hill.....hahahahahahaha

Case 1:13-cr-00435-TDS Document 145-1 Filed 03/07/18 Page 34 of 76

2/3/2018

(4,262 unread) - kenstella [REDACTED]@yahoo.com - Yahoo Mail

The screenshot shows the Yahoo Mail interface. On the left is a sidebar with navigation links: Compose, Inbox (999+), Unread, Starred, Drafts, Sent, Archive, Spam, Trash, Less, Views, and a 'More' link. Below these are icons for Photos, Documents, Travel, Coupons, and Tutorials. The main area displays an email titled 'Re: Brian Hill Threatening Email' from Kristy Burton (@vawp.uscourts.gov) to kenstella [REDACTED]@yahoo.com, with cc: rbhill [REDACTED]@yahoo.com and mjones@belldavispitt.com. The email is dated Feb 16, 2015 at 11:45 AM. The body of the email contains the following text:

I am not in the office today, but will address this issue tomorrow. Let me know if anything else occurs

Kristy Burton
U.S. Probation Officer
Western District of Virginia

On Feb 16, 2015, at 10:29 AM, Ken & Stella <kenstella [REDACTED]@yahoo.com> wrote:

Good Morning Kristy,

Brian asked us to contact you to let you know what happened to him on Saturday. After getting some of his computer related items returned to him by his attorney, Mark Jones. Mr. Jones picked up Brian's items from the Mayodan Police Department and brought the items to the house on Wednesday, Feb 11, 2015. We were out of town for the week and returned home on Saturday, Feb 14, 2015. We purchased an external hard drive enclosure for Brian to view a laptop hard drive that was in with the items returned. Brian said he did not recognize

2/3/2018

(4,262 unread) - kenstella@yahoocom - Yahoo Mail

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Folders Hide

Back

Archive

Move

Delete

Spam

RE: BRIAN DAVID HILL EMERGENCY

Sue Basko <suebasko@gmail.com>

To: mjonas@belldavispiatt.com, rbhill@yahoocom, kenstella@yahoocom

Feb 16, 2015 at 10:19 PM

DEAR MR JONES:

I wrote to you before regarding this situation with Brian David Hill. You are handling his appeal. I am copying his mother and grandparents on this email.

Brian is the guy who was set up with child porn via email and then convicted. Someone KEEPS sending me (and others) emails regarding Brian and the threat to set him up with child porn. Tonight I got an email that also contains a jpg with a bunch of pictures on it that look like they might be porn or child porn - these are tiny pics on one jpg and I cannot really see them and of course, will not click on them to preview or download.

I am copying and pasting the email below. Each set of emails is getting nastier and more threatening and the person is getting more desperate.

YOU NEED TO TALK WITH BRIAN AND HIS FAMILY RIGHT AWAY and I need to make a report to the FBI.

THIS IS WHAT THE EMAIL TONIGHT SAYS - IT APPEARS TO COME FROM ME. of course, it is not from me. Each email set has used a different email address.

Susan Basko <BudaBuddy@mail2tor.com>

2:57 AM (2 hours)

to me

Folders Hide

+ New Folder

1 - Red Box

1 - 60 Plus...

1 - Amazon

Give feedback

to me

WE PLACED CHILD PORN THE
HARD DRIVE WHICH WAS GIVEN T
O BRIAN DAVID HILL SO WE
HAVE BRIAN ON POSSESSION AGAIN A
ND HIS FUCKASS ATTORNEY ON DIST
RIBUTION BRIAN WILL GO DOWN HE
WILL BE IN PRISON FOR LIFE ALONG
WITH HIS APPEAL ATTORNEY S
O YOU HAVE TWO OPTIONS

https://mail.yahoo.com/d/search/keyword%3DSue%2520Basko/messages/AKvmjkQAABDKVOKzKwvPcKdPiTY

WE PLACED CHILD PORN THE
HARD DRIVE WHICH WAS GIVEN
TO BRIAN DAVID HILL SO
WE HAVE BRIAN ON POSSESSION AGAI
N AND HIS FUCKASS ATTORNEY O
N DISTRIBUTION BRIAN WILL GO DOWN
HE WILL BE IN PRISON FOR LI
FE ALONG WITH HIS APPEAL AT
TORNEY SO YOU HAVE TWO OPTION
S

OPTION ONE YOU TELL BRIAN HE
BETTER DROP HIS APPEAL OTHER
WISE WE CALL THE FBI AND
TELL THEM WHAT CHILD PORN
WAS ON THE HARD DRIVE
HE RECEIVED

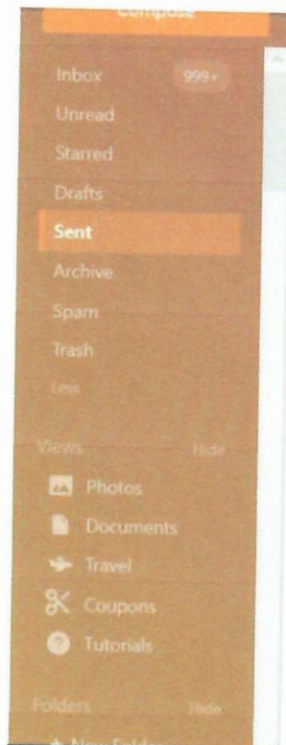
OOOR OPTION TWO BRIAN WRITES A
INCRIMINATING LETTER ABOUT HOW
HE DOES HAVE AN ADDICTION TO
CHILD PORN AND HAS A FETISH
WITH STICKING COCKS IN LITTLE GI
RLZ NASTY BUTTS THEN HE EN
DS HIS APPEAL HE NEEDS HELP
AFTER ALL YOU NEED HELP
TOO SUSAN MAYBE A GOOD ME
NTAL HOSPITAL
FOR YOU WE HAVE ACCESS
TO HIS PROPERTY AND CAN PLANT
CHILD PORN ON ANY OF EM

REPORT THIS TO FBI AND WE
WILL REPORT YOU BRIAN HIS
ATTORNEY AND HIS FAMILY AND
TELL THE FBI THEY LIKE TO
MASTURBATE AS A FAMILY TO CHILD
PORN FLICKS WE HAVE EVIDENCE
TO GET ANOTHER CONVICTION ON

ATTORNEY AND HIS FAMILY AND
TELL THE FBI THEY LIKE TO
MASTURBATE AS A FAMILY TO CHILD
PORN FLICKS WE HAVE EVIDENCE
TO GET ANOTHER CONVICTION ON
BRIAN HILL YOU CANT PROVE
ANYTHING WITH EMAILS WHICH CAN DIS
APPEAR
AFTER YOU READ EM OR WE N
OBODY WILL EVER BELIEVE YOU BITCH
WE KNOW CHILD PORN GOT IN
TO BRIANS POSSESSION LAST WEEK
WE WILL SEND MORE THEN HE
WILL TECHNICALLY BE GUILTY AGAIN
JUDGE OSTEEN WILL CONVICT HIM
AGAIN AS WE WILL MAKE SU
RE OSTEEN IS PROCIDING JUDGE O
VER BRIANS N
EW INDICTMENT

MORE CHILD PORN IS COMING THEN
MORE CHARGES WILL BE BROUGHT
BITCH

Susan Basko, Esq.
California and Illinois



2/1/2018

(4,247 unread) - kenstella[REDACTED]@yahoo.com - Yahoo Mail

YAHOO! MAIL

Find messages, documents, photos or people

Ken

Compose

Inbox 999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views Hide

Photos

Documents

Travel

Coupons

Tutorials

Folders Hide

Back

Archive

Move

Delete

Spam

Fw: BRIAN DAVID HILL EMERGENCY

Ken & Stella <kenstella[REDACTED]@yahoo.com>

To: kristy_burton@vawp.uscourts.gov

Cc: rbhill[REDACTED]@yahoo.com

Feb 17, 2015 at 8:46 AM

Good Morning Kristy,

We received this email from Sue Basko today. She has sent it to Brian's attorney, and plans on notifying the FBI about it. She called last night and said there was a picture file in the email with some of the same names Brian said he saw in the hard drive we destroyed on Saturday. She is going to inform the FBI about all of this also.

Thanks,

Ken & Stella Forinash (Brian's Grandparents)

----- Forwarded Message -----

From: Sue Basko <suebasko@gmail.com>

To: mjones@belldavispiatt.com; Roberta Hill <rbhill[REDACTED]@yahoo.com>; Ken & Stella <kenstella[REDACTED]@yahoo.com>

Sent: Monday, February 16, 2015 10:19 PM

Subject: RE: BRIAN DAVID HILL EMERGENCY

DEAR MR JONES:

Folders Hide

+ New Folder

1 - Red Box

1 - 60 Plus...

1 - Amazon

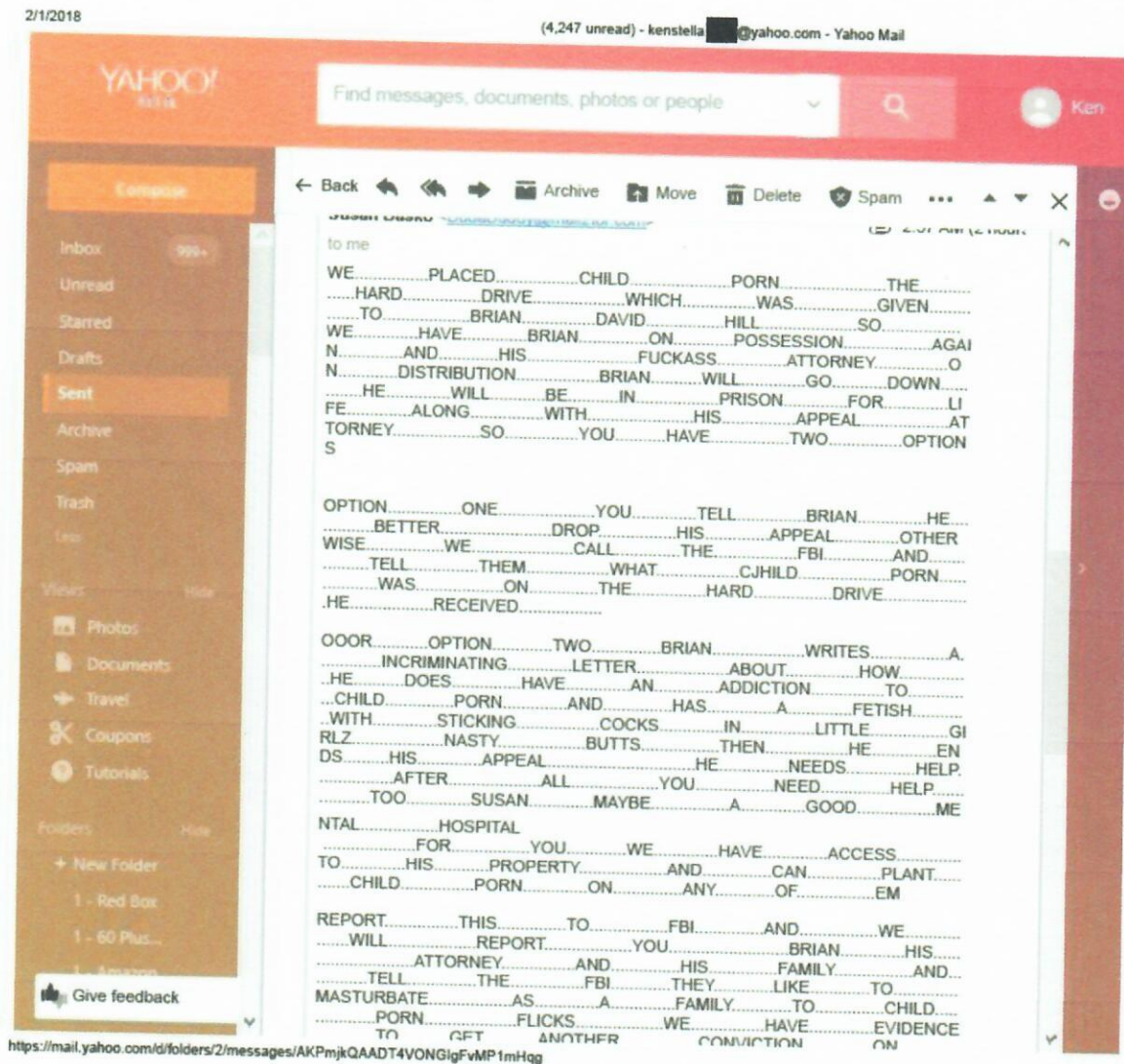
Give feedback

DEAR MR JONES:

I wrote to you before regarding this situation with Brian David Hill. You are handling his appeal. I am copying his mother and grandparents on this email.

Brian is the guy who was set up with child porn via email and then convicted. Someone KEEPS sending me (and others) emails regarding

<https://mail.yahoo.com/d/folders/2/messages/AKPmjKQAADT4VONGIgFvMP1mHqg>



APRIL 25, 2015

Bob Tuskin Radio Show Interview with Brian D. Hill of U.S.W.G.O(Apr 25, 2015)

The Bob Tuskin Show interviews Brian D. Hill on April 25, 2015. He was the former news reporter of US.W.G.O Alternative News. He had ran his website from 2009 to 2012 according to domain name records. His website mysteriously vanished around September 2012. It was found out that Brian was framed with possession of child pornography when he was federally indicted on December 2013. He has attempted to prove his Innocence, overturn his conviction, and get his life back in order. Watch the full 1 hour interview with Brian D. Hill as Bob Tuskin and his co-host or another guest is figuring out what all happened. It is a tragedy what happened to Brian D. Hill. This man was even in a NYTimes article about the whole Righthaven LLC lawsuit fiasco. This guy had a clean record according to my private investigation and checking the criminal records. He has no infractions, never had any complaints filed against him with exception to the Federal lawsuit by Righthaven LLC. He never acted in any way that was perverted. Out of the blue after he threatened the political power of a State Senator and his town's Police Chief, he was then accused of downloading child pornography. He was threatened to confess or lose his mother according to Court records of pro se documentation. He lives off of SSI disability income and his mother was documented as his medical caretaker.

This is a documented form of police coercion against a mentally disabled Defendant in an attempt to get him to admit to perverted sexual things against children when he is a virgin. However according to all of his pro se work, it is Declared under Oath (penalty of perjury) that his confession was indeed false yet it was never cross examined due to his ineffective council Eric David Placke from the Federal Public Defender Office in Greensboro, NC. <https://archive.org/details/USAvHill> That pretty much says it all. A jury should acquit him as he is already 25 years old and he has never committed any sexual assault, he has never done anything to raise hell in his community except going to his town or city council to fight against the 2012 NDAA indefinite detention law. This man is clearly innocent and deserves acquittal one way or another. He has Autism and Obsessive Compulsive Disorder. He should not have been convicted as the only crime he was ever accused of in 23-25 years of his life was somebody placed child porn files in Brian's computer. There was a similar set up attempt on Luke Rudkowski and even Stewart Rhodes. The truth should be revealed on this matter. There needs to be a private investigation into Brian's wrongful conviction by the Innocence Project. This news reporter has released FOIA requested documents on the Department of Homeland Security spying on political

2/3/2018

Bob Tuskin Radio Show Interview with Brian D. Hill of U.S.W.G.O(Apr 25, 2015) : Bob Tuskin Radio Show, Guest Brian D. Hill (USWGO) : Free Download & Streaming : Internet Archive



Bob Tuskin Radio Show Interview with Brian D. Hill of U.S.W.G.O(Apr 25, 2015)

by [Bob Tuskin Radio Show, Guest Brian D. Hill \(USWGO\)](#)

Brian got a visit from his probation officer 3 days after this interview (April 28, 2015). She was upset and demanding and told Brian in front of his family that she got a call from Judge Osteen. She demanded that Brian sit down in his grandparent's apartment and told him that he could not use his grandmother's cell phone to text anyone, including his attorney who was supposed to help Brian with

his 2255. Brian had an autistic meltdown, and she used this opportunity to have him arrested. She told some lies and some truths in the court.

21 Q Have you done anything with the TracFone that was
22 seized -- or did you seize the TracFone from Mr. Hill?

23 A I seized the first TracFone, yes. Nothing has been done
24 with it yet. At this moment, we don't have the capability to
25 search that type of phone, and I have not found a law

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

Case 1:13-cr-00435-TDS Document 123 Filed 08/21/15 Page 14 of 84

Cross -- PO Pryor

15

1 enforcement agency that will search it for me. So as to

2 obtaining any evidence or anything, any information that
3 Mr. Hill has provided for me, I have not done anything with it.

4 Q You said the first phone. Is that the one that Mr. Hill
5 told you contained the child pornography?

6 A Correct, yes. I never looked at the phone -- I mean, I
7 looked at it in his presence that day to turn it off, but I
8 have not touched it since. It's been in our evidence.

9 Q Did he say how he knew it contained child pornography?

10 A He accidentally opened the document, which I believe was
11 also sent from an anonymous account, and he saw that it
12 contained child pornography.

13 Q So is it your statement that nothing has been done with
14 that phone?

15 A Not at this point, no.

16 Q And there's been a second phone that he's been using?

17 A I believe his -- they got another phone and transferred
18 the minutes, but I have not had any access to that phone.

19 MR. RAMASWAMY: I have no other questions.

20 THE COURT: Ms. Pryor, any cross?

21 MS. PRYOR: Yes, Your Honor.

22 CROSS-EXAMINATION

23 BY MS. PRYOR

22 CROSS-EXAMINATION

23 BY MS. PRYOR

24 Q Officer Burton, before you visited Mr. Hill, did you know
25 about his mental health conditions?

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

Case 1:13-cr-00435-TDS Document 123 Filed 08/21/15 Page 15 of 84

Cross -- PO Pryor

16

1 A Yes, ma'am.

2 Q Okay. Did you know that he had already took a

3 | psychological test for the federal custody -- while in federal
4 | custody?

5 | A Yes.

6 | Q And you are aware of all the results that were revealed,
7 | and those results were revealed in his PSR; is that correct?

8 | A Yes, ma'am.

9 | Q You are aware that he suffers from autism?

10 | A I am, yes, ma'am.

11 | Q And you are aware that, you know, based on what the
12 | psychology [sic] reported, that he has a difficulty of

11 | Q And you are aware that, you know, based on what the
12 | psychology [sic] reported, that he has a difficulty of
13 | understanding other people in social interactions?

14 | A The report indicates that people who suffer from autism
15 | can exhibit those, yes, ma'am, I do.

16 | Q And do you believe that that report was written based on
17 | the psychological -- psychologist's evaluation of Mr. Hill?

18 | A It was, yes, ma'am.

19 | Q And do you believe that that report was true or believe
20 | that that report came out of her or his -- I believe it was a
21 | her who actually did the testing. Do you believe that she'd

1 notice that it also stated that any time that there is an
2 emotionally overwhelming situation or when Mr. Hill has felt --
3 feel any threat -- threatened or anything like that, that he
4 does tend to have some aggressive behavior and not only him,
5 but others in his type of -- that has the type of autism that
6 he has also also has those type of things as well?

7 A I did read that, yes.

8 Q Are you aware that he sometimes does not have the social
9 skills necessary to respond appropriately?

7 Q And you did also probably note in the PSR that he has high
8 levels of anxiety, and those things can only be corrected
9 through generalized -- through his Generalized Anxiety
10 Disorder?

11 A I did read about that, yes.

12 Q Okay. And out of all -- reading all of those things, what
13 were your -- what things did you do, or what type of actions or
14 recourse or research did you do before you went to go speak to
15 Mr. Hill on April 28th?

16 A Prior to that specific date?

17 Q Yes, ma'am.

21 Q Okay. But you know on that exact meeting that you would
22 be telling him that he could not do something or you knew that
23 there was going to be some type of maybe misunderstanding of
24 that -- in that particular, I guess, situation?

25 A Yes, but I would describe that as most of our meetings

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

Case 1:13-cr-00435-TDS Document 123 Filed 08/21/15 Page 18 of 84

Cross -- PO Pryor

19

1 were like that.

5 And so at this point I think you told us that you haven't
6 really had any training on how to communicate with someone with
7 autism like Mr. Hill?

8 A No, no specific training to that.

9 Q So do you believe that you should -- so you have not
10 sought any kind of -- what about resources online? Have you
11 sought any resources online about how to effectively
12 communicate with someone with autism like Mr. Hill?

13 A I mean, I have done reading on autism. I have been around
14 people who are autistic. They are all different. Like I said,
15 I have been to basic law enforcement training for autism. I

8 to you. It says that -- there is one section on page 14 that
9 says "Conclusions and Recommendations," and in it, it says that
10 that he suffers from autism -- he has Autism Spectrum Disorder,
11 and that there is difficulty -- he has difficulty understanding
12 other people in social interactions which interferes with his
13 ability to establish and maintain relationships. "Some
14 individuals with Autism Spectrum Disorders have histories of
15 aggressive behavior, particularly in situations where they are
16 emotionally overwhelmed, feel threatened, or do not have the
17 language and social skills to respond more appropriately."

18 A I read that statement, yes, but I don't feel that that's a
19 guideline as to how to deal with it.

20 Q You don't? Okay. Would you -- well, because you don't
21 feel that way, did you take the opportunity to try to figure
22 out -- knowing that Mr. Hill would have those issues, did
23 you -- have you personally taken the steps necessary to figure
24 out how to deal with the difficult way of trying to have a
25 social interaction with him -- or a nonsocial interaction, I

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

6 Q Okay. And so let's talk about April 28th. I believe you
7 said you went to his home to advise him about sending documents
8 to the Court per judge's order?

9 A No. It was not per judge's order that I went to the home.
10 I was contacted by the clerk's office and the marshals and was
11 told that he was sending documentation electronically via MMS,
12 multimedia messaging, and that they had directed him to stop
13 doing that, but he had not done that. That's what I was there
14 to address.

15 Q Have you talked to anyone about multimedia messaging to
16 determine whether it is a way of sending messages Internet

18 A I have spoken to some people about it. I would not say
19 that I am an expert at all, but my understanding is that it
20 uses an Internet service to send that documentation.

21 Q So you are saying that text messages as well as -- I'm
22 sorry. Let me go back. I apologize. You are saying that
23 multimedia messaging is a way to send via Internet?

24 A My understanding is, yes, that it uses an Internet
25 provider to do that, that the cell phone company routes it

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

2 Q Okay. And so let me ask you. Are you aware that Mr. --
3 the cell phone that Mr. Hill was using does not have Internet
4 service provided on that particular phone?

5 A That's what he informed me. It is a prepaid phone. I
6 have not looked at the second one, but I did see the first one.
7 To my knowledge, it did not have Internet service, no.

8 Q To your knowledge, have you spoken to his -- well, let me
9 ask. Have you spoken to his grandmother about whether the cell
10 phone had any Internet service provider on the particular
11 phone?

12 A They have indicated that it did not.

13 Q But he was able to -- but you're -- but today you are
14 saying that multimedia messaging is through an Internet
15 protocol?

16 A I am saying that my understanding of it is that the cell
17 phone company uses an Internet service, not the cell phone
18 itself.

19 Q Okay. And this was your first -- let me -- well, let me
20 ask. Was this your first warning to Mr. Hill of this type of
21 behavior?

22 A This was the first time we discussed it, yes.

23 Q Okay. And you issued a warrant for his arrest immediately
24 upon leaving the residence; correct?

25 A I did.

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

Case 1:13-cr-00435-TDS Document 123 Filed 08/21/15 Page 28 of 84

Cross -- PO Pryor

29

1 Q Okay. And there were no steps to give him an opportunity
2 to comply with your order or comply with what you stated?

3 A The warrant was based on his behavior, not based on the

6 A It was based on his behavior in the home.

7 Q Okay. And his behavior in the home, I believe you said
8 that you felt -- well, let me ask you. You said that you asked
9 him to sit down, and he sat down?

10 A He did.

11 Q You asked him to stop walking around, and he stopped
12 walking around?

13 A I asked him to sit down. That was the same conversation.

14 Q Okay. And help me. You stated that you asked him to --
15 you said that he violated because he failed to follow your

16 instructions, but when you asked him to do anything, you
17 said -- I believe you said early on in testimony that he
18 complied?

19 A When I asked -- the calming down was the failure to follow
20 instructions.

21 Q Okay. So are you saying he failed to follow your
22 instructions because he called you a jerk? Is that what you
23 are telling us today?

24 A Well, I mean, that was part of the aggressive behavior,
25 so, yes.

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

Case 1:13-cr-00435-TDS Document 123 Filed 08/21/15 Page 29 of 84

Cross -- PO Pryor

30

1 Q And that's failing to -- and following your instructions
2 is by someone -- I mean, did you tell him -- I am just trying
3 to understand. Failing to follow your instructions is by him
4 expressing --

5 A The continued aggressive behavior.

6 Q Did you -- okay. I just want to make sure I understand
7 why you feel that he failed to follow your instruction. I
8 believe that you also said that you were in fear of your life

8 | believe that you also said that you were in fear of your life
9 | on that day?

10 | A I felt unsafe.

11 | Q You felt unsafe. Did he throw something at you?

12 | A He did not throw anything at me, no.

13 | Q Did he jump towards you?

14 | A No.

15 | Q Did he stand up and maybe, you know, bolt toward you and
16 | do anything that could have been aggressive to make you feel
17 | that he was going strike you in any kind of way?

18 | A He did not come towards me, no.

19 | Q Okay. And you're saying that you felt unsafe or -- unsafe
20 | that day because he called you a jerk?

21 | A No, that's not what I am saying.

22 | Q You said you felt unsafe because he had aggressive --
23 | because he was upset about you telling him not to text message?

24 | A It was the continued -- the agitation, the pacing, the
25 | throwing things, the name calling. The combination of all of

USA v. Brian Hill -- SRV Hearing -- 6/30/2015

2 Q You said when you asked --

3 A -- made me feel unsafe.

4 Q And so you felt unsafe, but you did tell him to stop
5 pacing, and he stopped pacing?

6 A I asked him to sit down.

7 Q And he sat down?

8 A He did but --

9 Q So he stopped pacing?

10 **THE COURT:** Please don't interrupt the witness with a
11 new question until she's finished answering your question. Are
12 you done?

14 he sat down, but he continued hitting things off tables and the
15 name calling.

16 **BY MS. PRYOR**

17 Q When you asked him to stop hitting things off the table,
18 did he stop hitting things off the table?

19 A I left.

12 Q Just a question about when Mr. Hill was not in compliance.
13 You could have served him with a summons versus a warrant?

14 A Based on his behavior that day, I didn't feel like that
15 was the safest option.

16 Q Okay. But could you have served him with a summons was my
17 question?

18 A That's always an option, yes.

19 Q You did know that Mr. Hill suffers from diabetes?

20 A I do.

21 Q And you do know that he's insulin dependent, meaning
22 there's three times a day he has to take his insulin?

23 A I do, and I informed the Courts of that and the marshals.

24 Q Okay. And you do remember in the PSR where it stated that
25 it's probably not a good idea to incarcerate him if you don't

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Cross -- PO Pryor

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1 have -- if it's -- if it's not necessary due to his health and
2 his mental health issues?

3 A I don't remember that specifically in there.

4 Q Okay. And do you remember whether it stated that he would
5 probably -- not only did he suffer from post-traumatic stress
6 disorder when he was incarcerated the first time, but also he
7 has a tendency to be bullied in prison --

8 A I did read --

9 Q -- or in custody?

10 A I did read that people who have autism -- that that can be
11 a factor, yes.

12 Q And you said that you recommended that he goes to Piedmont
13 to get treatment services?

14 A Yes, ma'am.

15 Q Okay. Did he comply with that particular order?

16 A He was going to Piedmont, yes.

17 Q And he went to -- to your knowledge, he's went to all of
18 his particular treatment except for one, I believe you stated?

19 A I believe so, yes.

20 Q And you spoke to his parents about the one that was
21 missed?

22 A Yes, we did speak about it.

23 Q Do you remember -- do you recall what -- the reason why he
24 missed that particular appointment?

25 A I believe they stated that it was because of a

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1 transportation issue.

2 Q Okay. Does Mr. Hill drive?

3 A He does not.

4 Q Okay.

5 MS. PRYOR: I have further questions, Your Honor.

6 THE COURT: Any redirect?

9 BY MR. RAMASWAMY

10 Q In your -- in the petition under general adjustment under
11 supervision, you make the statement that Mr. Hill -- his
12 initial supervision history has been challenging based on
13 numerous mental and physical health conditions present.

14 This incident on April 28th of this year, was that -- has
15 that been the only incident of its type or has it been an
16 incident to just a degree within the same type?

17 A As far as the hitting of things and the name calling,
18 that's the first, but every interaction -- because Mr. Hill
19 believes that he's been set up in this case, and he's very

20 adamant about that, every interaction is difficult because I am
21 trying to get him to comply with conditions from the Court, and
22 he doesn't think he should have to. He will always say that he
23 will comply ultimately, but it's always a struggle.

24 Q Following up on that, your statement -- I want to ask you
25 about that statement: He doesn't think he has to comply with

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12 **MR. RAMASWAMY:** No other questions.

13 **THE COURT:** Let me ask you, ma'am, the telephone that
14 you said the Defendant was using, whose phone was he using?

15 **THE WITNESS:** My understanding is it's his
16 grandmother's.

17 **THE COURT:** Did you say that there was -- there were
18 images of child pornography on the phone?

19 **THE WITNESS:** The first phone that he had, he
20 indicated he got an email -- or a text message that had child
21 pornography on it.

22 **THE COURT:** The first phone he had on supervision?

22 **THE COURT:** The first phone he had on supervision?

23 **THE WITNESS:** On supervision. That was also his
24 grandmother's. He stated he used it for legal purposes, and
25 that someone had sent him child pornography. He knew it was

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Redirect -- PO Burton

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1 child pornography because he had accidentally looked at it. He
2 turned the phone over to me within a couple of days. I have

3 not looked at the phone because I don't want to destroy any of
4 the evidence that's on it.

5 THE COURT: How would the child pornography be on
6 that original phone?

7 THE WITNESS: He indicated that somebody sent it to
8 him in an attachment in a text message or a multimedia message.

9 THE COURT: Do you know who it came from?

10 THE WITNESS: I believe it was another Tor-type
11 account is my understanding.

12 THE COURT: When was that?

13 THE WITNESS: Hold on one second, I will give you a
14 date. I seized the phone March 9 of 2015.

15 THE COURT: Is this a prepaid phone?

16 THE WITNESS: It is, yes, sir.

17 THE COURT: Do you have any idea how somebody with a
18 prepaid phone would anonymously receive child pornography?

19 THE WITNESS: I do not, no.

20 THE COURT: Does the Defendant have a computer?

21 THE WITNESS: He does have a computer, but it does
22 not have access to the Internet.

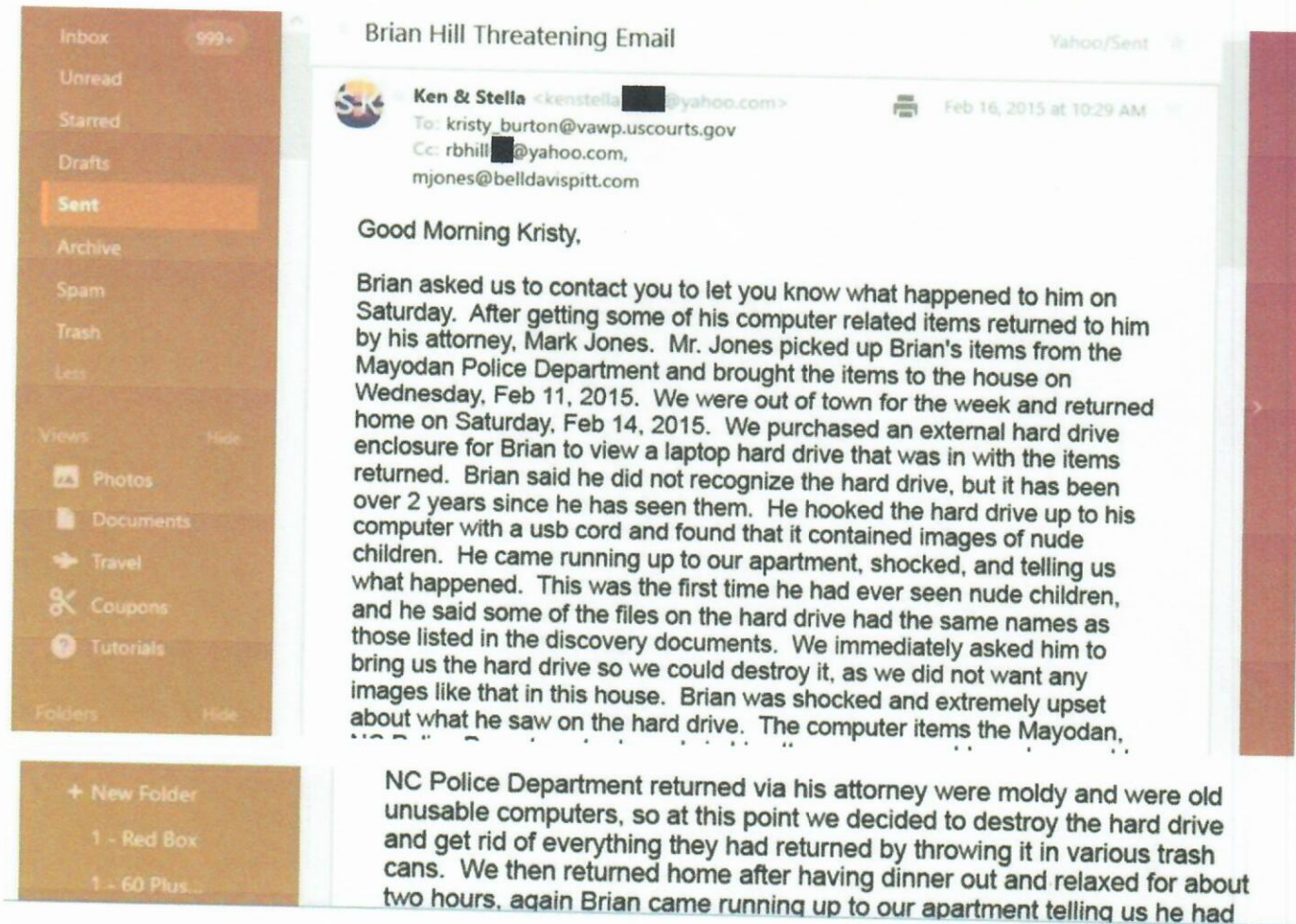
Brian has told the court that he was set up in April, 2015 by his probation officer. Brian's family sent information to her bosses that she came to our apartment to cause him to have an autism meltdown and telling about all of the lies she told. She came angry, ordered him to sit and listen to her. She told Brian that Judge Osteen contacted her. She stood at the door the entire time which other times she came inside the apartment to talk to Brian if he was visiting us or to us if he was in his apartment asleep. Told him he could not text his lawyer and could no longer use his grandma's phone to text anyone, then after Brian was arrested, Brian's family went to her office, and she told us the opposite of what we heard her tell Brian in front of us that day. She told us that Brian could use his phone to

text, and she was trying to help Brian by having him arrested and was going to have him put in some type of halfway house in NC for 6 months after he gets out of jail. We caught her in one lie after another, but with other people who lie, they also tell some truths, not all lies. Just noticed a lie here in the next paragraph from the court transcripts and realize that through a copy of an email we sent to her on 2/16/2015 proves another lie here. She might have told Brian if this happens again to let her know, but the rest of what she said was not the truth.

8 A He did contact me to indicate -- we'd had a previous
9 incident where information -- I was told by the family and him
10 that the Mayodan Police Department had returned evidence to
11 them that contained child pornography. When I asked to see
12 that, they indicated it had been destroyed. During that time,
13 I indicated that if this ever happens again or anything like
14 that ever happens to let me know. So he contacted me after
15 receiving that email -- or text message, sorry, whatever it
16 was, and he turned it over to me within a couple of days.
17 Q So he voluntarily did it?
18 A Yes.

We (Brian's grandparents) sent her an email on a Monday (Feb. 16, 2015) telling her about the child porn (photos of nude children) and that we destroyed it on Saturday (Valentine's Day 2015) because we did not want that in our house. She says to the court, **"When I asked to see that, they indicated that it had been destroyed". During that time, I indicated that if that ever happens again or if anything like that happens to let me know**". For proof this was another of many lies she told on the stand as well as to Brian's family a month after the incident after she had Brian arrested. Here is our proof of at least one of her lies. The judge listened to her lies and didn't think Brian had been punished enough by spending another month in jail, again without his regular insulin; was given wrong insulin causing a seizure and an apology from a doctor and had some problems with his autism while in jail. The judge listened to every lie she told and punished Brian because of his autism & the probation officer who caused the autism melt down said that she was afraid, and so to punish Brian, the judge gave him 6 month home detention with ankle monitor. To Brian's family, this is like her saying (as an example) "I know he can't walk and is in a wheelchair, but he disobeyed me when I told him to stand up and walk around the room. Would the judge then punish this disabled person for not standing up and walking? We all recognize the disability of a person in a wheel chair. It's harder to see the diabetes and autism disabilities. There are laws out there which are supposed to protect this person, but these laws are failing Brian big time, and he is punished for his disabilities. This is

during the one year limitation for his 2255, and not one person told Brian's family that he only had until November, 2015 to do this, and, yes, the court did know during this time frame and said some things about Brian's plans to do the 2255 since he was innocent. Here is a copy of our proof that she lied about this under oath. You can also see this proof in this letter on page 31 – 34 & her answer. Here's a copy of the email we sent her about the hard drive Mayodan police sent to Brian via his court appointed attorney and about how we destroyed it and threw it away that day and about Brian receiving his first threat email since the ones in 2013 and sent her a copy of this threat email and later threats he and Attorney Sue Basko received for him to stop his appeal in Feb. 2015.



On the next paragraph is her reply to this email:

Re: Brian Hill Threatening Email

Yahoo/Inbox



Kristy_Burton@vawp.uscourts.gov



Feb 16, 2015 at 11:45 AM

To: kenstella[REDACTED]@yahoo.com

Cc: rbhill[REDACTED]@yahoo.com,

mjones@belldavispitt.com

I am not in the office today, but will address this issue tomorrow. Let me know if anything else occurs

Kristy Burton
U.S. Probation Officer
Western District of Virginia

On Feb 16, 2015, at 10:29 AM, Ken & Stella <[kenstella\[REDACTED\]@yahoo.com](mailto:kenstella[REDACTED]@yahoo.com)> wrote:

Good Morning Kristy,

Brian asked us to contact you to let you know what happened to him on Saturday. After getting some of his computer related items returned

25 **THE COURT:** Is there evidence he is using the
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1 Internet?

2 **MR. RAMASWAMY:** No, sir, I don't think there is
3 evidence he is using the Internet. There is only an inference
4 that he's found a way to access the ECF filing system by using
5 a prepaid cellular phone.

22 **THE COURT:** Well, what I am hearing is that they are
23 trying to explain that he's autistic and that you have to deal
24 with somebody who is autistic a little differently and that
25 they, from time to time, may do things that an ordinary person

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1 would not do. Whether that's what you are talking about in
2 terms of minimizing or whether you are talking about something

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e Edit View Document Comments Forms Tools Advanced Window Help

Create Combine Collaborate Secure Sign Forms Multimedia Comment

60 / 84 164% Find

2 terms of minimizing or whether you are talking about something
3 else, I don't know.

4 **MR. RAMASWAMY:** I think that's fair to say, and I
5 wouldn't expect in a family situation really that would be
6 different, but I don't know how that can be squared with the
7 probation officer's responsibility to do her supervision.

8 **THE COURT:** I understand. All right. Anything
9 further?

10 **MR. RAMASWAMY:** No, sir.

11 **THE COURT:** Thank you. Ms. Pryor?

12 **MS. PRYOR:** Yes, thank you, Your Honor.



12 MS. PRYOR: Yes, thank you, Your Honor.

13 Your Honor, I've had the opportunity -- I know you
14 asked about the access to Internet by MMS or SMS. I've
15 actually had the opportunity to speak to someone who is
16 actually a specialist and an expert dealing with the Internet
17 and how the cell phones and all that work. I explained to him
18 exactly what Mr. Hill was doing. I contacted the clerk to find
19 out how did she receive it so that I could accurately tell --
20 and let me get his name for you, Your Honor -- so I could
21 accurately tell him what was being stated and what was being
22 used.

23 Mr -- and I apologize. Let me get his name for you.
24 That would be Mr. Levitan. He's with the wireless, cellular,
25 telecommunication consulting and expert witness services. He

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5 He explained to me over and over again that no way
6 does MMS or text messaging have anything to do with the
7 Internet. In no way, can they have -- can you even -- I mean,
8 it does not contract [sic] your Internet. It does not even --
9 there's no need to use the Internet to do those type. Text
10 messaging, MMS, the only difference is the size of the actual

4 **MS. PRYOR:** I truly understand that, Your Honor, and
5 I believe that probation has that particular cell phone. Your
6 Honor, I would love to have that evaluated. I don't think that
7 Mr. Hill would have any problem with making sure that you
8 understood or making sure that he was able to prove -- as you
9 note, he's been working to prove his innocence of all of this.
10 So I am sure --

11 **THE COURT:** I don't know what you mean that. He's
12 admitted guilt as to the underlying offense; right?

13 **MS. PRYOR:** I understand that. I believe that, Your
14 Honor, that he is working with another attorney, I guess, to
15 appeal or to -- and, Your Honor, I am not working on that
16 particular matter or that case; but based on my experience with
17 him and my talking with him, it is his desire to prove his
18 innocence of that particular matter. I believe you've seen, of
19 course, all of the pro se documents filed in this matter
20 regarding that.

21 But just to get to your answer, and what I believe
22 and based on my interaction, the moment that he saw it come --
23 you know, he opened up the text message, he's told me he

23 | you know, he opened up the text message, he's told me he
24 | immediately let Ms. Burton know that it had happened.

25 | I mean, to him, and what he's explained to me, is

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1 | that he believes that's another way of showing that someone is
2 | obviously -- or believes -- or allegedly is setting him up and
3 | wants him to be in trouble about child pornography.

8 | **MS. PRYOR:** Yes, Your Honor. I would only state,
9 | Your Honor -- based on what you've heard today, Your Honor, I
10 | would state that there in my -- not -- I apologize. I would
11 | state that there was no violation. I do not believe that --
12 | based on who Mr. Hill is, based on his mental health, his
13 | physical health, and the things that I've had the opportunity
14 | to interact with him, I do not believe -- and, you know -- and
15 | based on mom's testimony, that Mr. Hill in any way violated
16 | Officer Burton's instructions or order. Ms. Burton asked him
17 | to sit down, asked him to comply. He complied with everything
18 | that she asked.

19 Being who he is and the disability that he does have,
20 there are things that you must do and ways that you must
21 interact with him. My first interaction with him -- and you
22 can look at him, and no disrespect at all to Mr. Hill, Your
23 Honor. He, of course, stands and he looks to be 25. He has
24 the hair and everything that it takes, but I knew immediately
25 that I could not have the same conversation about a supervisory

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1 hearing as I would a 25-year-old who also violated or did
2 something of the same nature.

3 He is just not the type of person that could
4 understand or be in a position to -- and I am asking the Court
5 not to hold him to the standard of a regular 25-year-old today
6 in that I believe that he was not -- that he did not violate
7 her instructions. And when he did have the opportunity to calm
8 down, he understood -- not only did he write it to the Court to
9 apologize to Officer Burton, he also apologized to her by fax,
10 I believe, as well as by phone.

11 I would ask the Court to consider -- being that his

12 | mom and his family has provided a safe environment for him, I
13 | would ask the Court to not hold him -- to not revoke his
14 | supervisory release, but to allow him to return to his home, to
15 | also continue his treatment that he definitely so much needs.
16 | I believe we heard that he missed only one treatment. Although
17 | he might not believe that he needs it, his mom was still making
18 | sure that he went to the treatment. He missed one only because
19 | of transportation matters, but he's made every appointment.
20 | They've done everything -- his mom makes sure that he goes to
21 | everything that is ordered by the Court. So I believe he has a

68 / 84 164% Find

4 | However, as I said, this all seems to result largely
5 | from the Defendant's autism, and so that's a key factor that I
6 | am going to take into account. I am not going to fault
7 | Ms. Burton for not dealing with somebody who is autistic in the
8 | best way possible. She's here to do her job as a probation
9 | officer, and she's doing the best she can do. Different
10 | defendants have to be treated differently; and through this
11 | process, we've all learned a little bit of information perhaps
12 | as to how Mr. Hill reacts, and to the extent that can be taken
13 | into account, then that will be taken into account.

69 / 84 164% Find

12 Now, he's been in the jail for a little over a month;
13 right?

14 MS. PRYOR: Yes, Your Honor.

15 THE COURT: Okay. Now, I give heavy weight to the
16 fact that he's autistic and that he is going to have difficulty
17 controlling some of this. I also am concerned that he seems to
18 be highly intelligent in some areas, including the use of
19 computers and electronic devices.

20 I am concerned that he had a cell phone that had an
21 image of child pornography on it, which he admits. Without
22 addressing the issue directly, I think it would behoove the

71 / 84 164% Find

9 THE COURT: By reading those, there is clearly an
10 attitude of defiance and refusing to accept his own guilty plea
11 and a claim that he's been framed, and he's lashed out at Judge
12 Osteen, which is why you are before me today --

13 MS. PRYOR: Yes, Your Honor.

14 THE COURT: -- calling him crooked and many other
15 things.

16 Putting aside the total improper nature of those
17 filings, it doesn't seem to support an argument that he's now
18 on board and wants an opportunity to comply. It seems to
19 indicate that he is going to fight this every which way,

72 / 84 164% Find

21 MS. PRYOR: He's withdrawing them for this particular
22 matter, but he wants his other attorney to pursue his other
23 matters -- his matter at hand. And I have spoken to him, and I
24 believe that he understood that he -- I believe coming from an
25 order from the judge stating that he can pursue his innocence,

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1 but it has to be through his attorney only, I think he would

75 / 84 164% Find

16 MS. PRYOR: Your Honor, my client wanted Ms. Burton
17 to -- Officer Burton to examine the phone. I just believe that
18 they didn't have the resources at the time, but I'm assuming --
19 if you order it, I am going to assume that it can be done.

20 THE COURT: Well, anything can be done by consent.

21 MS. PRYOR: Okay.

22 THE COURT: I believe. There is no reason that --

23 THE PROBATION OFFICER: Your Honor, there is a
24 condition in place if he is willing to do that.

25 THE COURT: Okay.

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1 **THE PROBATION OFFICER:** We can seek out the resources
2 to make that happen.

3 **THE COURT:** So for purposes of proceeding, are you
4 saying that he is consenting to the examination of his phone?

5 **MS. PRYOR:** Do you mind if I just quickly ask him?

6 **THE COURT:** That will be fine.

7 (Ms. Pryor conferred with the Defendant.)

25 **THE COURT:** What about a residential reentry center?

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1 Has that ever been discussed? Is that something that --

2 **MS. PRYOR:** Your Honor, I saw that as one of the
3 recommendations. The only issue that I have with the
4 residential reentry center is, Your Honor, they don't
5 specialize -- or none that I saw in my research specialize in

That was the end of this. No more talk in court about having this cell phone examined that was now in the hands of the probation office since March, 2015. It was so important to have this phone examined as someone had sent child porn in it to Brian, and in re-reading this, it looks like the judge in this case was holding Brian as responsible for someone sending him text threats and child porn to this phone. All Brian did was report it right

away and gave it to the probation officer to be checked, and no one in our family wanted it back. If anyone has a cell phone, and calls someone, they usually with caller id have excess to your number. That was what happened to Brian when he called the Rockingham County, NC sheriff department, and the Mayodan police who knew what our home phone number is called Brian twice on this cell phone. Brian did not answer. After someone in the Mayodan police department found out what the number was, Brian started getting threats on this phone and later child porn. Please refer back to copies of Brian's grandparents' emails in this letter (pages 25 to 38) as proof.

6 anything that deals with, not only his disability, but his
7 health issues. The residential reentry center, based on my
8 research, is just almost like a, I guess, halfway house where,
9 you know, yes, he would have his independence, but there's
10 no -- it puts him back in a position where he can be exploited,
11 where he can be bullied, where he can be asked to do things
12 that he probably should not be doing, and I think it's just
13 because people would take advantage of him. And that would be
14 my only reason I would not want him to be right back before you
15 because of somebody exploiting him.

16 So I would only suggest -- I would not be up to

8 (Ms. Pryor conferred with the Defendant.)

9 MS. PRYOR: Thank you, Your Honor.

10 THE DEFENDANT: I apologize to Ms. Kristy Burton and,
11 you know, I made sure to comply with the conditions of
12 supervised release on the same day I made sure to tell her that
13 I would schedule it that day with Kristen Patterson of Piedmont
14 Community Services, and I told her I wanted to mediate the
15 situation peacefully. I wanted to meet with her again so I
16 could mediate the situation. That way, you know, it doesn't
17 escalate, things don't get worse.

78 / 84 164% Find

18 You know, I want to make sure I am complying with
19 supervised release, and the reason for the pro se motions was
20 not to be mean or nasty to the Court. All I just wanted to do
21 was prove my innocence, but that's for another matter, for a
22 matter that's going to be with Attorney Cynthia Everson,
23 Attorney-at-Law.

24 I do regret my behavior, and I am willing to get
25 counseling, but the current counselor wasn't really helping me.

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1 What I would like to ask the Court is that I be allowed to seek
2 new private counseling, to find someone who is willing to help
3 me and help with my behavior, and I want to be able to -- I
4 want to comply with the supervised release conditions.
5 And then once I overturn my conviction, that's what I
6 am planning to do, then I can be vacated from that sentence.
7 Until then, I promise under penalty of perjury that I will
8 comply with supervised release until the -- I mean, I will
9 comply. And the 2255 motion, I don't know if it's going to
10 work or not, but I have a firm belief that it will succeed,
11 but, you know, as long as I am under supervised release, I

12 | promise I will comply with supervised release, I promise.

13 | **THE COURT:** Now, you had several pro se motions you
14 | filed in my court in this case, and Ms. Pryor says you now are
15 | withdrawing those for purposes of this case. Is that, in fact,
16 | true?

17 | **THE DEFENDANT:** Yes, sir.

18 | **THE COURT:** All right. Thank you. Mr Cameron and
19 | Ms. Burton, can I speak with you just a moment?

20 | (Off-the-record discussion.)

21 | Okay. Here is what I am going to do. I am not going
22 | to revoke Mr. Hill right now. He did violate the conditions of

22 | to revoke Mr. Hill right now. He did violate the conditions of
23 | his supervised release. What I am going to do, though, is
24 | modify his conditions, and I am doing this because he made
25 | threatening conduct toward the probation officer. He used

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1 | inappropriate verbal language toward the probation officer, as
2 | was indicated. He filed a number of documents that contained

81 / 84 164% Find

16 THE PROBATION OFFICER: May I approach, Your Honor?

17 THE COURT: Yes. I wanted to add one other

18 condition, and that is, because of the nature of the violation,

19 and I think you invited it, a condition of home incarceration;

20 is that right, Ms. Pryor?

21 MS. PRYOR: I did, Your Honor.

22 THE COURT: I am going to amend the conditions of

23 supervised release to add home incarceration for six months.

24 MS. PRYOR: Six months, Your Honor?

25 THE COURT: Yes.

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83 / 84 164% Find

11 THE COURT: All right. Please work with the

12 probation office, members of the family. It is an unusual

13 situation. I understand Mr. Hill's issues with autism. If you

14 have ways that will help probation, approach them. I'm sure

15 they will be interested in knowing that. On the other hand,

16 they have a job to do, and please do everything you can to help

17 the probation officer work with your son and grandson to make

18 sure that probation can do the job that they need to do.

19 Okay. All right. Thank you very much. We'll be

20 adjourned for the day.

21 (END OF PROCEEDINGS AT 5:11 P.M.)

We declare under penalty of perjury that the foregoing is true and correct to the best of our knowledge.

Sincerely,

Stella Burnette Forinash (Brian David Hill's Grandma)

Kenneth R. Forinash (Brian David Hill's Grandpa)

Roberta Ruth Hill (Brian David Hill's Mom)

Signed and Dated in front of the Notary with the Notary Seal:

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct:

Stella Burnette Forinash 2/28/2018
Stella Burnette Forinash State of VA
County of Henry
This instrument was acknowledged before me
on 28 day of Feb, 2018 by Stella B. Forinash
Tashah C. Davis
Notary Public's Signature
My Commission Expires 9-30-21
Tashah C Davis
Notary Public
Commonwealth of Virginia
Reg. 7052515
My Commission Expires 9-30-21
916 Chalmers St, Apt A Martinsville, VA 24112
Phone: 276-632-2599

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct:

Kenneth R. Forinash 2-28-2018
Kenneth R. Forinash, TSgt, USAF, Ret State of VA
County of Henry
This instrument was acknowledged before me
on 28 day of Feb, 2018 by Kenneth R. Forinash
Tashah C. Davis
Notary Public's Signature
My Commission Expires 9-30-21
Tashah C Davis
Notary Public
Commonwealth of Virginia
Reg. 7052515
My Commission Expires 9-30-21
916 Chalmers St., Apt A, Martinsville, VA 24112
Phone: 276-632-2599

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Roberta Ruth Hill 2-28-2018
Roberta Ruth Hill State of VA
County of Henry
This instrument was acknowledged before me
on 28 day of Feb, 2018 by Roberta R. Hill
Tashah C. Davis
Notary Public's Signature
My Commission Expires 9-30-21
Tashah C Davis
Notary Public
Commonwealth of Virginia
Reg. 7052515
My Commission Expires 9-30-21
310 Forest St., Apt 1, Martinsville, VA 24112
Phone: 276-790-3505

